

federal register

FRIDAY, AUGUST 22, 1975



highlights

PART I:

NOTICE TO AGENCIES REGARDING PUBLICATION DEADLINE FOR THE PRIVACY ACT

Due to the large volume of Privacy Act material submitted for publication within the past several days, it may not be possible for the Office of the Federal Register and the Government Printing Office to process and publish all this material by the deadline date of August 27th.

However, in order to assist agencies in complying with the intent of the Act, material received by the Office of the Federal Register before August 27, if delayed in publication, will be made available for public inspection as soon as practicable after receipt at the Federal Register Office, 1100 L St., NW., Room 8401. An announcement of the availability of the document for public inspection and the scheduled date of publication will be published in an early issue following receipt.

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Title 5—Administrative Personnel

CHAPTER I—CIVIL SERVICE COMMISSION

PART 213—EXCEPTED SERVICE

U.S. International Trade Commission

Section 213.3339 is amended to show that one position of Staff Assistant to a Commissioner is excepted under Schedule C.

Effective on August 22, 1975.

Section 213.3339(f) is amended as set out below:

§ 213.3339 U.S. International Trade Commission.

(f) One position of Staff Assistant to each of five Commissioners.

(5 U.S.C. 3301, 3302; EO 10577, 3 CFR 1954-1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
*Executive Assistant
to the Commissioners.*

[FR Doc.75-22184 Filed 8-21-75;8:45 am]

Title 7—Agriculture

CHAPTER II—FOOD AND NUTRITION SERVICE, DEPARTMENT OF AGRICULTURE

SUBCHAPTER C—FOOD PROGRAM

[Amendment No. 68]

PART 271—PARTICIPATION OF STATE AGENCIES AND HOUSEHOLDS

Methods of Distributing, Issuing, and Accounting for Coupons and Receipts

Pursuant to the authority contained in the Food Stamp Act of 1964, as amended (78 Stat. 703, as amended; U.S.C. 2011-2026), regulations governing the operation of the Food Stamp Program are hereby amended.

On March 1, 1975, the Department implemented a new series of food coupons. The 50-cent, 2-dollar and old series 5-dollar coupons may be accepted in retail food stores and meal services until August 31, 1975.

After that date, the old series of coupons will remain obligations of the United States Government. This amendment provides methods by which households still in possession of 50-cent, 2-dollar, and old series 5-dollar coupons after August 31, 1975, may exchange these coupons. This amendment applies to all previous coupon series.

Although it is the policy of the Department that 30 days' notice be given to proposed rulemaking, in view of the

immediate need to publish this amendment it has been determined impracticable and contrary to public interest to give notice of proposed rulemaking with respect to this amendment.

Accordingly, Part 271 of Chapter II, Title 7, Code of Federal Regulations, is amended as follows:

In § 271.6, a new paragraph (i) is added to read as follows:

§ 271.6 Methods of distributing, issuing and accounting for coupons and receipts.

(i) The 50-cent, 2-dollar, and old series 5-dollar coupons may be used by households to purchase eligible food at authorized retail food stores and meal services until August 31, 1975. After August 31, 1975, households shall be entitled to a dollar for dollar exchange of old series coupons for new series coupons at the project level except that when only a 50-cent coupon is offered for exchange or the coupons offered include an odd 50-cent coupon, a new series 1-dollar coupon will be given for the odd 50-cent coupon. This procedure for exchange will expire June 30, 1976.

Effective date: This amendment shall become effective August 22, 1975.

(78 Stat. 703, as amended; 7 U.S.C. 2011-2026)

(Catalog of Federal Domestic Assistance Programs, No. 10.551, National Archives Reference Services)

Dated: August 19, 1975.

RICHARD L. FELTNER,
Assistant Secretary.

[FR Doc.75-22288 Filed 8-21-75;8:45 am]

CHAPTER IX—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS; FRUITS, VEGETABLES, NUTS), DEPARTMENT OF AGRICULTURE

[Lemon Reg. 7]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

This regulation fixes the quantity of California-Arizona lemons that may be shipped to fresh market during the weekly regulation period August 24-30, 1975. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 910. The quantity of lemons so fixed was arrived at after consideration of the

total available supply of lemons, the quantity of lemons currently available for market, the fresh market demand for lemons, lemon prices, and the relationship of season average returns to the parity price for lemons.

§ 910.307 Lemon Regulation 7.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for this regulation to limit the quantity of lemons that may be marketed during the ensuing week stems from the production and marketing situation confronting the lemon industry.

(i) The committee has submitted its recommendation with respect to the quantity of lemons it deems advisable to be handled during the ensuing week. Such recommendation resulted from consideration of the factors enumerated in the order. The committee further reports the demand for lemons continues strong this week in spite of cooler weather in many parts of the country. Average f.o.b. price was \$7.08 per carton the week ended August 16, 1975, compared to \$7.24 per carton the previous week. Track and rolling supplies at 128 cars were down 4 cars from last week.

(ii) Having considered the recommendation and information submitted by the committee, and other available information, the Secretary finds that the quantity of lemons which may be handled should be fixed as hereinafter set forth.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this regulation until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the

act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this regulation, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period herein specified; and compliance with this regulation will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on August 19, 1975.

(b) *Order.* (1) The quantity of lemons grown in California and Arizona which may be handled during the period August 24, 1975, through August 30, 1975, is hereby fixed at 275,000 cartons.

(2) As used in this section, "handled", and "carton(s)" have the same meaning as when used in the said amended marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: August 20, 1975.

CHARLES R. BRADER,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc. 75-22473 Filed 8-21-75; 8:45 am]

Title 10—Energy

CHAPTER II—FEDERAL ENERGY ADMINISTRATION

PART 205—ADMINISTRATIVE PROCEDURES AND SANCTIONS

Procedures for Consent Orders

On May 9, 1975, the Federal Energy Administration issued a Notice of Proposed Rulemaking (40 FR 20965, May 14, 1975) to amend Subpart O of 10 CFR, Part 205 to provide for consent orders.

Eight written comments were received in response to the Notice of Proposed Rulemaking. All comments received have been considered, and modifications to the proposed regulation have been made that reflect the FEA's consideration of these comments as well as other information available to FEA.

NOTICES AND ORDERS OF DISALLOWANCE OF COSTS

Initially, it should be noted that since the May 9 Notice of Proposed Rulemak-

ing a new section (§ 205.194) was added to Subpart O which provides procedures for disallowing certain transfer prices used to compute landed costs. This new section has required two minor changes in the proposed consent order rule. First, it has required renumbering the proposed new section as § 205.197 rather than § 205.196. Second, the proposed consent order section has been amended in paragraph (a) thereof to make it clear that the consent order procedure is available for settlement of cases involving the disallowance of costs pursuant to new § 205.194.

DEFINITION OF "CONSENT ORDER"

One of the comments received by the FEA suggested that a definition of the term "consent order" be added to § 205.2. Since other similar types of orders and notices provided for in the procedural regulations are defined in § 205.2, the FEA has decided to include therein a definition of the term "consent order."

EXCLUSIVITY OF CONSENT ORDER PROCEDURE

One comment suggested that the rule make clear that the consent order procedure is the exclusive means short of a remedial order for resolving a compliance proceeding in which the FEA has reason to believe that a violation has occurred. This suggestion has merit to the extent of a compliance proceeding in which a notice of probable violation or a notice of proposed disallowance has been issued. Therefore, a sentence incorporating this suggestion has been added to paragraph (a). However, some current compliance cases can be, and are presently, resolved by voluntary action of the firm involved without the need for a compliance agreement. For example, simple calculation errors by refiners that do not result in an overcharge are usually corrected merely by informal agreement which may not always be memorialized in writing. FEA does not intend to eliminate these types of voluntary corrections.

OPPORTUNITY FOR PUBLIC COMMENT ON PROPOSED CONSENT ORDERS

Three of the comments received by the FEA urged that the consent order procedures provide the public with an opportunity to comment on consent orders before they become final and binding on the FEA, in a manner similar to that employed by the Antitrust Division of the Department of Justice pursuant to Pub. L. 93-528, 93d Cong., 2d Sess. (1974) and by the Federal Trade Commission pursuant to 16 CFR 2.31, et seq., as amended at 40 FR 15235 (April 4, 1975). The principal features proposed by the comments were that each negotiated consent order be published in the FEDERAL REGISTER, together with a statement of relevant facts and/or a justification of why the FEA believes the proposed consent order is in the public interest; that the public be given from 30 to 60 days to comment on the proposed order; and that the FEA publish in the FEDERAL REGISTER the final order, together with a description of the comments received and the reasons why

modifications suggested by the public were or were not adopted.

The FEA has carefully weighed the substantial benefits to the FEA of public participation in the consent order process against the possibility that public participation and the resulting delay in resolving compliance proceedings might create an unacceptable disincentive to use of the consent order process by companies involved in compliance proceedings. The FEA believes that the risk of the latter is greater in FEA proceedings than in FTC proceedings or government antitrust litigation because FEA adjudicatory procedures are expressly exempt from the requirements of the Administrative Procedures Act. Thus, placing consent orders on the public record and allowing the public to comment on them would inject a relatively cumbersome and time-consuming feature into what Congress expressly intended to be a streamlined compliance procedure.

Nevertheless, because of the compelling need for public confidence and involvement in the FEA case settlement process, the FEA has decided to adopt on a trial basis a modified version of the public participation procedures employed by some other federal agencies. However, the public comment provisions will be utilized only in cases where the consent order deals with sums in excess of \$500,000 in the aggregate, excluding penalties, since FEA experience has shown that prior compliance agreements of significant public concern have involved amounts in excess of that sum. After these procedures have been in effect for a representative period of time, the FEA intends to reconsider in light of its experience in negotiating consent orders under those procedures whether public participation has created an unwarranted disincentive to the use of such procedures.

In the rule as adopted herein, the FEA has decided that upon agreement by the FEA and the company involved on the terms of a consent order, notice of the order, a brief description of its coverage and the location of the office where a copy of the order can be obtained will be published in the FEDERAL REGISTER and announced to members of the press through a press release. The FEA has decided that it would not be practical to publish the complete text of each proposed consent order in the FEDERAL REGISTER, since there are likely to be scores of such orders involving individual retailers and wholesalers as well as major integrated oil companies, and the FEA therefore does not intend to do so except in cases where the proposed order is likely to affect large numbers of individuals or businesses. The public will have 30 days in which to submit written comments, during which time the consent order will not become effective unless the FEA expressly finds that it would be in the public interest that the order be effective immediately. After the 30-day comment period has expired and the FEA has decided that the proposed consent order should be made final, the FEA will publish notice of the effective date of the consent order and, if

it deems it appropriate, a description of the comments received and the action the FEA has taken with respect thereto.

MODIFICATION OR RESCISSION OF CONSENT ORDERS

Some of those comments suggesting public participation in the consent order procedure also suggested similar participation in significant modifications or rescissions of consent orders. The FEA has adopted these suggestions.

ADMINISTRATIVE APPEALS

Two comments suggested that consent orders be subject to administrative appeal, either to allow for modifications based on newly discovered evidence or to allow a company to contest a legal issue that underlies the FEA's contention that a violation has occurred. The FEA has decided that an administrative appeal is unnecessary and inappropriate in the context of a negotiated settlement that is expressly designed to achieve voluntary restitution to injured persons without the parties having to resort to protracted administrative proceedings and litigation to resolve factual and legal issues. Entry into a consent order does not require either party to concede issues of fact or law that would be resolved in the FEA's favor if a remedial order or order of disallowance of costs were issued. Moreover, the procedure now incorporated in paragraph (d) providing for petitions for modification or rescission provides an adequate opportunity to modify or rescind consent orders on the basis of newly discovered evidence.

CIVIL AND CRIMINAL PENALTIES

Two comments proposed that the paragraph by which the FEA expressly reserves the right to seek civil or criminal penalties for conduct that is the subject of a consent order be delegated. FEA believes that such a provision (paragraph (e) in the rule as promulgated) is necessary to give the FEA and any other party negotiating a consent order the flexibility to separate the issue of remedy from the issue of whether a penalty is appropriate. The rule does not preclude the parties from including a compromise of civil penalties as part of the consent order, nor does it preclude a party from refusing to enter into a consent order unless the penalty issue is resolved at the same time.

(Emergency Petroleum Allocation Act of 1973, Pub. L. 93-159, as amended by Pub. L. 93-511; Federal Energy Administration Act of 1974, Pub. L. 93-275; E.O. 11790, 39 FR 23185)

In consideration of the foregoing, Subpart O of Part 205 of Title 10 of the Code of Federal Regulations is amended as set forth below, effective immediately.

Issued in Washington, D.C., August 15, 1975.

ROBERT E. MONTGOMERY, Jr.,
General Counsel.

1. Section 205.2 is amended by adding, in the appropriate alphabetical order, a new definition to read as follows:

§ 205.2 Definitions.

"Consent order" means a document of agreement between FEA and a person prohibiting certain acts, requiring the performance of specific acts or including any acts which FEA could prohibit or require pursuant to § 205.195.

2. Section 205.197 is added to Subpart O to read as follows:

§ 205.197 Consent Orders.

(a) Notwithstanding any other provision of this Subpart, the FEA may at any time resolve an outstanding compliance investigation or proceeding, or a proceeding involving the disallowance of costs pursuant to § 205.194 of this Subpart, with a consent order. A consent order shall be the exclusive means besides a remedial order for resolving compliance proceedings in which the FEA has issued a notice of probable violation or a notice of proposed disallowance. A consent order must be signed by the person to whom it is issued, or a duly authorized representative, and must indicate agreement to the terms contained therein. A consent order need not constitute an admission by any person that FEA regulations have been violated, nor need it constitute a finding by the FEA that such person has violated FEA regulations. A consent order shall, however, contain a written statement setting forth the relevant facts forming the basis for the order.

(b) A consent order is a final order of the FEA having the same force and effect as a remedial order issued pursuant to § 205.192 or an order of disallowance issued pursuant to § 205.194, and may require one or more of the remedies authorized by § 205.195 and § 212.84(d)

(3). A consent order becomes effective no sooner than 30 days after publication under paragraph (c) of this section, except that the FEA may make a consent order effective immediately if expressly deemed necessary in the public interest. However, all consent orders involving sums of less than \$500,000 in the aggregate, excluding penalties, will be effective when signed both by the person to whom it is issued and the FEA, and will not be subject to the provisions of paragraph (c) of this section unless the FEA determines otherwise. A consent order shall not be appealable pursuant to the provisions of § 205.196 and Subpart H, and shall contain an express waiver of such appeal or judicial review rights as might otherwise attach to a final order of the FEA.

(c) When a proposed consent order has been signed, both by the person to whom it is issued and the FEA, the FEA

will publish notice of such proposed consent order in the FEDERAL REGISTER and in a press release to be issued simultaneously therewith. The FEDERAL REGISTER notice and the press release will state at a minimum the name of the company concerned, a brief summary of the consent order and other facts or allegations relevant thereto, and the address and telephone number of the FEA office at which copies of the proposed consent order will be made available free of charge, the address to which comments on the proposed consent order will be received by the FEA, and the date by which such comments should be submitted, which date will not be less than 30 days from publication of the FEDERAL REGISTER notice. After the expiration of the comment period, the FEA may withdraw its agreement to the consent order, it may attempt to negotiate a modification of the consent order, or it may issue the consent order as proposed. The FEA will publish in the FEDERAL REGISTER, and by press release, notice of any action taken on a proposed consent order and it may publish such explanation of the action taken as it deems appropriate. The provisions of this paragraph shall be applicable notwithstanding that a consent order negotiated by the FEA may have been made immediately effective pursuant to paragraph (b) of this section (except in cases where the consent order involves sums of less than \$500,000 in the aggregate, excluding penalties).

(d) At any time and in accordance with the procedures of Subpart J, a consent order may be modified or rescinded, at the FEA's discretion, upon petition by the person to whom the consent order was issued and may be rescinded by the FEA upon discovery of new evidence which is materially inconsistent with evidence upon which the FEA's acceptance of the consent order was based. Modifications of a consent order which is subject to public comment under the provisions of paragraph (c) of this section, which in the opinion of the FEA significantly change the terms or the impact of the original order, shall be subject to republication under the provisions of that paragraph.

(e) Notwithstanding the issuance of a consent order, the FEA may seek civil or criminal penalties or compromise civil penalties pursuant to Subpart P concerning matters encompassed by the consent order, unless the consent order by its terms expressly precludes the FEA from seeking such penalties.

(f) It at any time after a consent order becomes effective it appears to the FEA that the terms of the consent order have been violated, the FEA may refer violations of such order to the Department of Justice for appropriate action in accordance with Subpart P.

[FR Doc.75-22154 Filed 8-19-75; 9:33 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airworthiness Docket No. 74-WE-7-AD;
Amdt. 39-2348]

PART 39—AIRWORTHINESS DIRECTIVES

Hughes Model 269 Series Helicopters

Amendment 39-1820 (39 FR 13873), AD 74-09-01, requires modification and recurring inspections and limits the time which may be accumulated on new or modified main rotor ring gear drive shaft assemblies before the shaft assembly must be removed from service on Hughes 269 series helicopters. This action is required because fretting and fracture of the main rotor ring gear drive shaft assembly may lead to loss of power to the main rotor. After issuing Amendment 39-1820, the manufacturer and the agency determined that the inspection interval described in the Airworthiness Directive was no longer adequate in that fretting and fracture of the aluminum portion of the shaft assembly has occurred prior to accumulating the total service time interval specified in the AD and the time interval specified in the manufacturer's service information notice. Therefore, the AD is being amended to require inspections of the 269A5179 main rotor drive shaft assembly for cracks, fretting, and other damage at 400 hours or more total accumulated time, but less than 3000 hours total time in service. The compliance time for the initial inspection for helicopters with assemblies with more than 400 flight hours is being reduced from 50 hours to 25 hours time in service after the effective date of the AD, as amended. Additional minor changes to the AD wording are required by way of amendment to achieve the required periodic inspections. The "Time of Compliance" listing in the manufacturer's Service Information Notice No. N-114.2, dated June 23, 1975, is, in certain cases, in conflict with the AD. The amendment includes a note to caution the operators and owners that the revised service information notice does not, in all cases, reflect the requirements of AD 74-09-01.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-1820 (39 FR 13873), AD 74-09-01, is amended as follows:

A. Amend paragraph (1) to read:

(1) For helicopters which have shaft assemblies with 400 hours or more total time in service, (except as noted in paragraphs (2) and (4)), accomplish the following:

B. Amend paragraph (1) (a) to read:

(a) Within 25 hours additional time in service after the effective date of this AD, as amended, perform the inspections and

any necessary replacements in accordance with the special inspection procedures specified in paragraph (5).

C. Amend paragraph (1) (b) to read:

(b) Repeat the special inspections and any necessary replacements in accordance with paragraph (5) within 1000 hours additional time in service after the accomplishment of (a), and thereafter at intervals not to exceed 1000 hours time in service.

D. Amend paragraph (4) (a) to read:

(a) For helicopters which have shaft assemblies with 400 hours or more total time in service since modification, within 50 hours additional time in service, perform the special inspections and any necessary replacements in accordance with paragraph (5).

E. Amend paragraph (4) (b) to read:

(b) Repeat the special inspections and any necessary replacement in accordance with paragraph (5) within 1000 hours additional time in service after the accomplishment of (4) (a), and thereafter at intervals not to exceed 1000 hours time in service.

F. Amend paragraph (8) (1) to read:

(1) the origin of the part, i.e., an original shaft assembly in the transmission, a replacement shaft assembly from another helicopter, a modified shaft assembly per the manufacturer's service documents or a shaft assembly installed with 400 hours or less time in service.

G. Insert the following Note after paragraph (14):

NOTE: The compliance times specified in AD 74-09-01, as amended, are mandatory. Operators and owners are cautioned that the "Times of Compliance" and contents in Service Information Notice No. N-114.2, dated June 23, 1975, do not, in all cases, reflect the requirements of this AD.

This amendment becomes effective August 28, 1975.

This amendment is made under the authority of Sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423) and of Section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Los Angeles, California, on August 13, 1975.

ROBERT H. STANTON,
Director, FAA Western Region.

[FR Doc.75-22160 Filed 8-21-75; 8:45 am]

[Airworthiness Docket No. 75-WE-38-AD;
Amdt. 39-2349]

PART 39—AIRWORTHINESS DIRECTIVES

Lockheed L-1011-385-1 Airplanes

Amendment 39-2234 (40 FR 24177), AD 75-12-11, imposes the following operating limitation: "Autopilot command mode use prohibited below 100 feet above ground level" and a placard stating:

"AUTOPILOT CMD MODE USE PROHIBITED BELOW 100' AGL"

After issuing Amendment 39-2234, the Administrator has determined that Lockheed has isolated the cause of the unwanted pitch-up at or near touchdown and that modifications of auto flight pitch computers will preclude repetition of the failure condition. Therefore, the

AD is being amended to provide for removing the operating limitation when an operator's entire fleet, including spares, incorporates auto flight pitch computer modification in accordance with Lockheed Service Bulletin 093-22-080, dated August 11, 1975, or later FAA-approved revisions.

Since this amendment relieves a restriction and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-2234 (40 FR 24177), AD 75-12-11 is amended by adding new paragraph (3):

(3) When an operator's entire fleet, including spares, incorporates the auto flight pitch computer modification described in Lockheed Service Bulletin 093-22-080, dated August 11, 1975, or later FAA-approved revisions, remove the operating limitation and placard.

This amendment is effective September 2, 1975.

This amendment is made under the authority of Section 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423) and of Section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Los Angeles, California, on August 13, 1975.

ROBERT H. STANTON,
Director, FAA Western Region.

[FR Doc.75-22161 Filed 8-21-75; 8:45 am]

[Airworthiness Docket No. 75-WE-45-AD;
Amdt. 39-2351]

PART 39—AIRWORTHINESS DIRECTIVES
McDonnell Douglas DC-10 Series Airplanes

Pursuant to the authority delegated to me by the Administrator (31 FR 13697), an airworthiness directive was adopted on August 6, 1975, and made effective immediately by telegrams dated August 6, 1975 to all known United States operators of DC-10 series airplanes. The airworthiness directive limits the airplane to Category I minima (Ref. Advisory Circular AC 120-29) until the airplane is inspected in accordance with McDonnell Douglas Service Bulletin A34-70, or modified in accordance with McDonnell Douglas Service Bulletin 34-66, or equivalent inspections and modifications approved by the Chief, Aircraft Engineering Division, FAA Western Region are performed.

This AD is required because of several reported localizer antenna anomalies resulting in localizer oscillatory deviations of up to one dot, repeated simultaneously and with comparable phasing without failure warning on both receivers, which could appear to be legitimate guidance. McDonnell Douglas Corporation has developed two service bulletins to alleviate this condition.

Since it was found that immediate corrective action was required, notice

and public procedure thereon was impractical and contrary to the public interest and good cause existed for making the airworthiness directive effective immediately to all known U.S. operators of McDonnell Douglas DC-10 series airplanes. These conditions still exist and the airworthiness directive is hereby published in the FEDERAL REGISTER as an amendment to § 39.13 of Part 39 of the Federal Aviation Regulations to make it effective to all persons.

MCDONNELL DOUGLAS. Applies to DC-10-10, -10F, -30, -30F and -40 series airplanes, certificated in all categories.

To prevent possible airplane misalignment during ILS approaches without readily available failure indication, accomplish the following:

(A) Unless already accomplished or unless one of the relieving provisions, specified below, has been accomplished, within four calendar days after receipt of this telegram the airplane is limited to Category I minima and the following placard or its equivalent must be placed in plain view of the pilots: AIRCRAFT LIMITED TO CATEGORY I APPROACH MINIMA.

(B) Operators shall, by the most immediate and practicable means, notify flight crews of the foregoing.

(C) The Category I limitation does not apply to an airplane after accomplishing one of the following:

(1) Conduct inspections as defined in McDonnell Douglas Alert Service Bulletin A34-70, dated July 21, 1975, or later FAA-approved revisions. These inspections must be conducted at intervals not to exceed 900 flight hours; or

(2) Accomplish modification defined in McDonnell Douglas Service Bulletin 34-66, dated July 23, 1975, or later FAA-approved revisions; or

(3) Accomplish an inspection or modification acceptable to the Chief, Aircraft Engineering Division, FAA Western Region.

(D) Prior to August 6, 1976, accomplish McDonnell Douglas Service Bulletin 34-66, dated July 23, 1975, or later FAA-approved revisions, or an equivalent modification approved by the Chief, Aircraft Engineering Division, FAA Western Region."

This amendment is effective September 2, 1975, for all persons except those to whom it was made effective immediately by telegrams dated August 6, 1975.

This amendment is made under the authority of Sections 313(a), 601 and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421 and 1423) and of Section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Los Angeles, California, August 14, 1975.

ROBERT H. STANTON,
Director, FAA Western Region.

[FR Doc.75-22159 Filed 8-21-75; 8:45 am]

[Airspace Docket No. 75-EA-43]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE AND REPORTING POINTS

Designation of Transition Area

On page 26685 of the FEDERAL REGISTER for June 25, 1975, the Federal Aviation Administration published a proposed rule which would designate a Chase City, Va., Transition Area.

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulations have been received.

In view of the foregoing, the proposed regulation is hereby adopted, effective 0901 GMT October 23, 1975.

(Section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348), and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c))

Issued in Jamaica, N.Y., on August 11, 1975.

JAMES BISPO,
Acting Director, Eastern Region.

1. Amend § 71.181 of Part 71, Federal Aviation Regulations by adding the Chase City, Virginia 700-foot floor transition area as follows:

CHASE CITY, VIRGINIA

That airspace extending upward from 700 feet above the surface within a 5.5 mile radius of the center of Chase City Municipal Airport, Chase City, Va. (lat. 36°47'18" N., long. 78°30'05" W.); and within 3 miles each side of a 179° bearing from the Chase City, Va. radio beacon (lat. 36°47'21" N., long. 78°30'05" W.) extending from the 5.5 mile radius area to 8 miles south of the radio beacon.

[FR Doc.75-22162 Filed 8-21-75; 8:45 am]

[Docket No. 14931; Amdt. No. 982]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Recent Changes and Additions

This amendment to Part 97 of the Federal Aviation Regulations incorporates by reference therein changes and additions to the Standard Instrument Approach Procedures (SIAPs) that were recently adopted by the Administrator to promote safety at the airports concerned.

The complete SIAPs for the changes and additions covered by this amendment are described in FAA Forms 8260-3, 8260-4, or 8260-5 and made a part of the public rule making dockets of the FAA in accordance with the procedures set forth in Amendment No. 97-696 (35 FR 5609).

SIAPs are available for examination at the Rules Docket and at the National Flight Data Center, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, D.C. 20591. Copies of SIAPs adopted in a particular region are also available for examination at the headquarters of that region. Individual copies of SIAPs may be purchased from the FAA Public Information Center, AIS-230, 800 Independence Avenue, S.W., Washington, D.C. 20591 or from the applicable FAA regional office in accordance with the fee schedule prescribed in 49 CFR 7.85. This fee is payable in advance and may be paid by check, draft, or postal money order payable to the Treasurer of the United States. A weekly transmittal of all SIAP changes and additions may be obtained by subscription at an annual rate of \$150.00 per annum from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

Additional copies mailed to the same address may be ordered for \$30.00 each.

Since a situation exists that requires immediate adoption of this amendment, I find that further notice and public procedure hereon is impracticable and good cause exists for making it effective in less than 30 days.

In consideration of the foregoing, Part 97 of the Federal Aviation Regulations is amended as follows, effective on the dates specified:

1. Section 97.23 is amended by originating, amending, or canceling the following VOR-VOR/DME SIAPs, effective October 2, 1975.

- Allegan, Mi.—Padgham Field, VOR Rwy 28, Amdt. 4.
- Chicago, Il.—Chicago-Hammond Arpt., VOR-A, Amdt. 2.
- Harlan, Ia.—Harlan Municipal Arpt., VOR TAC-A, Amdt. 2.
- Idaho Falls, Id.—Fanning Field, VOR Rwy 3, Amdt. 2.
- Idaho Falls, Id.—Fanning Field, VOR Rwy 21, Amdt. 2.
- Lawrenceville, Il.—Lawrenceville-Vincennes Muni., VOR Rwy 18, Amdt. 5.
- Lawrenceville, Il.—Lawrenceville-Vincennes Muni., VOR Rwy 27, Original.
- Lawrenceville, Il.—Lawrenceville-Vincennes Muni., VOR Rwy 36, Amdt. 5.
- Madison, Wl.—Morey Arpt., VOR-A, Amdt. 1.
- Madison, Wl.—Morey Arpt., VOR-B, Original.
- North Platte, Ne.—Lee Bird Field, VOR Rwy 35, Amdt. 13.
- Olney-Noble, Il.—Olney-Noble Arpt., VOR/DME-A, Original.
- Omaha, Ne.—Eppley Airfield, VOR Rwy 32L, Amdt. 4.
- Rochester, Mn.—Rochester Municipal Arpt., VOR Rwy 2, Amdt. 10.

* * * effective September 11, 1975.

- Jackson, Ms.—Allen C. Thompson Field, VOR Rwy 15L, Amdt. 3, canceled.
- Jackson, Ms.—Allen C. Thompson Field, VOR/DME Rwy 33R, Amdt. 10, canceled.

* * * effective August 6, 1975.

- Bloomington, In.—Monroe County Arpt., VOR Rwy 35, Amdt. 7.
- Jackson, Mi.—Reynolds Municipal Arpt., VOR Rwy 23, Amdt. 12.
- Janesville, Wl.—Rock County Arpt., VOR Rwy 4, Amdt. 18.
- Marquette, Mi.—Marquette County Arpt., VOR Rwy 8, Amdt. 13.
- Pontiac, Mi.—Oakland-Pontiac Arpt., VOR Rwy 9R, Amdt. 17.

2. Section 97.25 is amended by originating, amending, or canceling the following SDF-LOC-LDA SIAPs, effective October 2, 1975.

- Duluth, Mi.—Duluth Int'l Arpt., LOC(BC) Rwy 27, Amdt. 8, canceled.
- Mosinee, Wl.—Central Wisconsin, LOC(BC) Rwy 26, Amdt. 2.
- Omaha, Ne.—Eppley Airfield, LOC(BC) Rwy 32L, Amdt. 10.
- Rochester, Mi.—Rochester Municipal Arpt., LOC(BC) Rwy 13, Amdt. 8.

3. Section 97.27 is amended by originating, amending, or canceling the following NDB/ADF SIAPs, effective October 2, 1975.

- Atlantic, Ia.—Atlantic Municipal Arpt., NDB Rwy 12, Amdt. 4.
- Audubon, Ia.—Audubon Municipal Arpt., NDB Rwy 32, Amdt. 1.
- Eugene, Or.—Mahlon Sweet Field, NDB Rwy 16, Amdt. 24.

Gaithersburg, Md.—Montgomery County Airpark, NDB Rwy 14, Amdt. 2.
 Jasper, TN.—Marion Co.-Brown Field, NDB Rwy 3, Amdt. 1, canceled.
 New Bedford, Ma.—New Bedford Municipal Arpt., NDB Rwy 5, Amdt. 4.
 North Platte, Ne.—Lee Bird Field, NDB Rwy 30, Amdt. 4.
 North Platte, Ne.—Lee Bird Field, NDB Rwy 35, Amdt. 6.
 Olney-Noble, Il.—Olney-Noble Arpt., NDB Rwy 3, Amdt. 4.
 Omaha, Ne.—Eppley Airfield, NDB Rwy 14R, Amdt. 18.
 Red Oak, Ia.—Red Oak Municipal Arpt., NDB Rwy 17, Amdt. 2.
 Rochester, Mn.—Rochester Municipal Arpt., NDB Rwy 31, Amdt. 12.

*** effective September 11, 1975.

Jackson, Ms.—Allen C. Thompson Field, NDB Rwy 15L, Amdt. 10, canceled.

*** effective August 6, 1975.

Columbus, Oh.—Port Columbus Int'l Arpt., NDB Rwy 28L, Amdt. 8.
 Jackson, Mi.—Reynolds Municipal Arpt., NDB Rwy 23, Amdt. 5.

4. Section 97.29 is amended by originating, amending, or canceling the following ILS SIAPs, effective October 2, 1975.

Eugene, Or.—Mahlon Sweet Field, ILS Rwy 16, Amdt. 28.
 Mosinee, WI.—Central Wisconsin Arpt., ILS Rwy 8, Amdt. 1.
 New Bedford, Ma.—New Bedford Municipal Arpt., ILS Rwy 5, Amdt. 12.
 Omaha, Ne.—Eppley Airfield, ILS Rwy 14R, Amdt. 18.
 Rochester, Mn.—Rochester Municipal Arpt., ILS Rwy 31, Amdt. 10.

*** effective September 11, 1975.

Jackson, Ms.—Allen C. Thompson Field, ILS Rwy 15L, Amdt. 9, canceled.

*** effective August 28, 1975.

Baltimore, Md.—Baltimore-Washington Int'l Arpt., ILS Rwy 28, Original.

*** effective August 8, 1975.

Cleveland, Oh.—Cuyahoga County Arpt., ILS Rwy 23, Amdt. 2.

*** effective August 6, 1975.

Columbus, Oh.—Port Columbus Int'l Arpt., ILS Rwy 28L, Amdt. 20.
 Jackson, Mi.—Reynolds Municipal Arpt., ILS Rwy 23, Amdt. 4.
 Janesville, WI.—Rock County Arpt., ILS Rwy 4, Amdt. 2.
 Marquette, MI.—Marquette County Arpt., ILS Rwy 8, Amdt. 4.
 Pontiac, MI.—Oakland-Pontiac Arpt., ILS Rwy 9R, Amdt. 5.

5. Section 97.33 is amended by originating, amending, or canceling the following RNAV SIAPs, effective October 2, 1975.

Mosinee, WI.—Central Wisconsin Arpt., RNAV Rwy 17, Original.
 North Platte, Ne.—Lee Bird Field, RNAV Rwy 12, Amdt. 1.
 Omaha, Ne.—Eppley Airfield, RNAV Rwy 32L, Amdt. 1.

*** effective August 8, 1975.

Cleveland, Oh.—Cuyahoga County Arpt., RNAV Rwy 23, Amdt. 3.

These amendments are made effective under the authority of Secs. 307, 313, 601,

1110, Federal Aviation Act of 1958; 49 U.S.C. 1438, 1354, 1421, 1510, and Sec. 6(c) Department of Transportation Act, 49 U.S.C. 1655(c).

Issued in Washington, D.C., on August 14, 1975.

JAMES M. VINES,
 Chief, Aircraft Programs Division.

NOTE: Incorporation by reference provisions in §§ 97.10 and 97.20 approved by the Director of the Federal Register on May 12, 1969, (35 FR 5610).

[FR Doc. 75-22163 Filed 8-21-75; 8:45 am]

CHAPTER II—CIVIL AERONAUTICS BOARD

SUBCHAPTER D—SPECIAL REGULATIONS

[Docket No. 27135; Reg. SPR-86, Amdt. 1]

PART 378a—ONE-STOP-INCLUSIVE TOUR CHARTERS

Technical Amendment

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., August 19, 1975.

By SPR-85, August 7, 1975, the Board adopted a new Part 378a of its Special Regulations (14 CFR Part 378a) establishing a new type of inclusive tour charter designated as a One-stop-Inclusive Tour Charter (OTC). As with other of the Board's special charter rules, the Part provides for certain bonding requirements intended to protect participants' deposits, to insure the financial responsibility of the tour operator or foreign tour operator, and to assure the supplying of the air transportation and all other accommodations and services specified in the contract between the participants and the tour operator or foreign tour operator. The text of our proposed OTC rule, as set forth in the Notice of Proposed Rulemaking (EDR-281/SPDR-38/ODR-9, issued October 30, 1974*), included a provision—identical to parallel provisions in each of our other special charter rules—which would require the surety bond to be in a prescribed form. However, although no comments were filed in opposition to this proposed provision, it was inadvertently omitted from the final OTC rule. The purpose of this technical amendment is to correct this inadvertent omission by adopting the bond form proposed in EDR-281/SPDR-38/ODR-9.

Because this amendment is of a procedural nature, in that it does not increase the substantive obligations of OTC operators, and because the technical change we are making in the Part merely serves to conform the surety bond provisions in this special charter rule with those set forth in the Board's other special charter rules, the Board finds that additional notice and public procedure are unnecessary and would not be in the public interest, and that the rule may become effective on less than 30 days' notice. We have therefore determined that this amendment should be made effective on September 13, 1975, that

being the date when the OTC rule will become effective.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 378a of its Special Regulations (14 CFR Part 378a), effective September 13, 1975, as follows:

1. Revise § 378a.31(c) to read as follows:

§ 378a.31 Surety bond and depository agreement.

(c) The bond required under paragraphs (a) and (b) of this section shall insure the financial responsibility of the tour operator or foreign tour operator and the supplying of the transportation and all other accommodations, services, and facilities in accordance with the contract between the tour operator or foreign tour operator and the tour participants, and shall be in the form set forth as Appendix A to this Part 378a. Such bond shall be issued by a bonding or surety company: (1) whose surety bonds are accepted by the Interstate Commerce Commission under 49 CFR 1084.6; or (2) which is listed in Best's Insurance Reports (Fire and Casualty) with a general policyholders' rating of "A" or better. The bonding or surety company shall be one legally authorized to issue bonds of that type in the State in which the tour originates. For purposes of this section, the term "State" includes any territory or possession of the United States, or the District of Columbia. The bond shall be specifically identified by the issuing surety with a company bond numbering system so that the Board may identify the bond with the specific tour or tours to which it relates: *Provided, however*, That these data may be set forth in an addendum attached to the bond, which addendum must be signed by the tour operator or foreign tour operator and the surety company. It shall be effective on or before the date the tour Prospectus is filed with the Board. If the bond does not comply with the requirements of this section, or for any reason fails to provide satisfactory or adequate protection for the public, the Board will notify the direct air carrier(s) and the tour operator or foreign tour operator, by registered or certified mail, stating the deficiencies of the bond. Unless such deficiencies are corrected within the time set forth in such notification, the subject tour or tours shall in no event be operated.

2. Amend Part 378a by adding thereto an Appendix A, in the form attached hereto.

(Secs. 101(3), 204(a), 401, 402, 407, 416(a) and 1001 of the Federal Aviation Act of 1958, as amended, 72 Stat. 737 (as amended), 743, 754 (as amended), 757, 766 (as amended), 771, and 788; 49 U.S.C. 1301, 1324, 1371, 1372, 1377, 1386, and 1481)

By the Civil Aeronautics Board.

Adopted: August 19, 1975.

Effective: September 13, 1975.

[SEAL]

EDWIN Z. HOLLAND,
 Secretary.

APPENDIX A

ONE-STOP-INCLUSIVE TOUR CHARTER OPERATOR'S SURETY BOND UNDER PART 378a OF THE SPECIAL REGULATIONS OF THE CIVIL AERONAUTICS BOARD (14 CFR PART 378a)

Know All Men by These Presents, That we _____ of _____ (Name of tour operator) (City) _____ as Principal (hereinafter called (State) Principal), and _____ a (Name of Surety) corporation created and existing under the Laws of the State of _____ as Surety (State) (hereinafter called Surety) are held and firmly bound unto the United States of America in the sum of _____ (see § 378a.31 of Part 378a)

for which payment, well and truly to be made, we bind ourselves and our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

Whereas, the Principal intends to become a One-Stop-Inclusive Tour Charter (OTC) operator pursuant to the provisions of Part 378a of the Board's Special Regulations and other rules and regulations of the Board relating to insurance or other security for the protection of OTC charter participants, and has elected to file with the Civil Aeronautics Board such a bond as will insure financial responsibility with respect to all monies received from tour participants for services in connection with an OTC to be operated subject to Part 378a of the Board's Special Regulations in accordance with contracts, agreements, or arrangements therefor, and

Whereas, this bond is written to assure compliance by the Principal as an authorized tour operator with Part 378a of the Board's Special Regulations, and other rules and regulations of the Board relating to insurance or other security for the protection of tour participants, and shall inure to the benefit of any and all tour participants to whom the Principal may be held legally liable for any of the damages herein described.

Now, therefore, the condition of this obligation is such that if the Principal shall pay or cause to be paid to tour participants any sum or sums for which the Principal may be held legally liable by reason of the Principal's failure faithfully to perform, fulfill, and carry out all contracts, agreements, and arrangements made by the Principal while this bond is in effect with respect to the receipt of monies from tour participants and proper disbursement thereof pursuant to and in accordance with the provisions of Part 378a of the Board's Special Regulations, then this obligation shall be void, otherwise to remain in full force and effect.

The liability of the Surety with respect to any tour participant shall not exceed the tour price (as defined in Part 378a of the Board's Special Regulations) paid by or on behalf of such participant.

The liability of the Surety shall not be discharged by any payment or succession of payments hereunder, unless and until such payment or payments shall amount in the aggregate to the penalty of the bond, but in no event shall the Surety's obligation hereunder exceed the amount of said penalty. The Surety agrees to furnish written notice to the Civil Aeronautics Board forthwith of all suits filed, judgments rendered, and payments made by said Surety under this bond.

The bond shall cover the following charters:¹

¹ These data may be supplied in an addendum attached to the bond. See § 378a.31.

Surety company's bond No.	Date of flight departure	Place of flight departure
---------------------------	--------------------------	---------------------------

This bond is effective the _____ day of _____, 19____, 12:01 a.m., standard time at the address of the Principal as stated herein and shall continue in force until terminated as hereinafter provided. The Principal or the Surety may at any time terminate this bond by written notice to the Civil Aeronautics Board at its office in Washington, D.C., such termination to become effective thirty (30) days after actual receipt of said notice by the Board. The Surety shall not be liable hereunder for the payment of any of the damages hereinbefore described which arise as the result of any contracts, agreements, undertakings, or arrangements for the supplying of transportation and other services made by the Principal after the termination of this bond as herein provided, but such termination shall not affect the liability of the Surety hereunder for the payment of any such damages arising as the result of contracts, agreements, or arrangements for the supplying of transportation and other services made by the Principal prior to the date such termination becomes effective. Liability of the Surety under this bond shall in all events be limited only to a tour participant or tour participants who shall within sixty (60) days after the termination of the particular tour described herein give written notice of claim to the tour operator or, if he is unavailable, to the Surety; and all liability on this bond shall automatically terminate; sixty (60) days after the termination date of the particular tour covered by this bond except for claims filed within the time provided herein.

In witness whereof, the said Principal and Surety have executed this instrument on the _____ day of _____, 19____

Principal

Name _____
By _____

Signature and Title

Witness _____

Surety

Name _____ [Seal]
By _____

(Signature and Title)

Witness _____

Only corporations may qualify to act as surety and they must meet the requirements set forth in § 378a.31(d) of Part 378a.

[FR Doc.75-22287 Filed 8-21-75; 8:45 am]

Title 17—Commodities and Securities Exchanges

CHAPTER II—SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-11595]

PART 249—FORMS, SECURITIES EXCHANGE ACT OF 1934

Registration as a Broker-Dealer

The Securities and Exchange Commission today announced the adoption of special instructions to revised Form BD (previously designated Form U-3).¹

¹ Revision of Form BD was announced in Securities Exchange Act Release No. 11424, May 16, 1975, 40 FR 30634, and certain amendments were made in Securities Exchange Act Release No. 11530, July 10, 1975, 40 FR 30636.

Form BD is to be used to apply for license or membership as a broker-dealer with a number of jurisdictions and the National Association of Securities Dealers, Inc., as well as for registration with the Commission. Accordingly, for purposes of uniformity, the general instructions to the form were drafted so that they might be used by each agency, jurisdiction and organization accepting the form. Inasmuch as some of these regulatory entities may have special requirements and procedures for preparing and filing the form, it was determined that each could prepare such special instructions to Form BD as were necessary to carry out its responsibilities. Accordingly, the Commission has adopted a brief set of special instructions for applicants filing Form BD with the Commission.

The special instructions do not implement, interpret, or prescribe law or policy. Rather, they serve to:

- (1) Inform applicants of the Commission's procedural requirements regarding the preparation and filing of Form BD;
- (2) Direct applicants to certain Commission rules regarding collateral documents to be filed with Form BD, amendments to Form BD, and SECO membership;
- (3) Make disclosures to applicants required by the Privacy Act of 1974 (Pub. L. 93-579);
- (4) Advise applicants of the proscriptions of Section 709 of Title 18 of the United States Code ("False Advertising or Misuse of Names to Indicate Federal Agency"); and
- (5) Direct applicants to designate a recipient for service of notice of Commission proceeding.

In view of the foregoing, the Commission finds that the relevant provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice and public procedure are inapplicable.

STATUTORY AUTHORITY

The Securities and Exchange Commission, acting pursuant to the provisions of the Securities Exchange Act of 1934, particularly Sections 15(b), 17(a) and 23(a) thereof, and deeming it necessary for the exercise of the functions vested in it, and necessary and appropriate in the public interest and for the protection of investors, hereby amends Part 249 of Chapter II of Title 17 of the Code of Federal Regulations by adopting, effective October 1, 1975, special instructions to revised Form BD.

TEXT OF THE SPECIAL INSTRUCTIONS TO FORM BD

The text of the special instructions to Form BD (§ 249.501, as revised April 16, 1975, and as amended) is as follows:

SPECIAL INSTRUCTIONS FOR COMPLETING FORM BD UNIFORM APPLICATION FOR REGISTRATION AS A BROKER-DEALER OR TO AMEND SUCH AN APPLICATION

Under sections 15(b), 17(a) and 23(a) of the Securities Exchange Act of 1934 and the rules and regulations thereunder, the Commission is authorized to solicit the informa-

RULES AND REGULATIONS

tion required to be supplied by this form from applicants for registration as a broker-dealer (and persons associated with applicants). Disclosure of the information specified on this form is mandatory prior to processing of applications for registration as a broker-dealer, except social security numbers, disclosure of which is voluntary. The information will be used for the principal purpose of determining whether the Commission should grant or deny registration to an applicant; social security numbers, if furnished, will be used only to assist the Commission in identifying applicants and, therefore, in promptly processing applications. Information supplied on this form will be included routinely in the public files of the Commission and will be available for inspection by any interested person. A form which is not prepared and executed in compliance with applicable requirements may be returned as not acceptable for filing. Acceptance of this form, however, shall not constitute any finding that it has been filed as required or that the information submitted is true, current, or complete. Intentional misstatements or omissions of fact constitute Federal criminal violations. (See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).)

Section 709 of title 18 of the United States Code provides that it shall be a criminal offense for anyone to use the words "national," "Federal," "United States," "reserve," or "deposit insurance" as part of the business or firm name of a person, corporation, partnership, business trust, association or other business entity engaged in the brokerage business, except as permitted by the laws of the United States. If any of such words is used as part of the business or firm name of any applicant, there should be included with the completed form BD an opinion of counsel setting forth the basis on which the use of any such word is permitted.

Applicants who are not, and do not intend to become, members of the National Association of Securities Dealers, Inc., should note the provisions of sections 15(b) (7), (8), and (9) of the Securities Exchange Act of 1934 and the rules thereunder.

INTRODUCTION

Form BD was revised effective October 1, 1975, and all references herein relate to the revised form.

WHO MUST FILE

Every broker or dealer whose registration is effective, or whose application for registration is pending on October 1, 1975, is required to file as an amendment to the registration or application a complete Form BD. Form BD is to be filed the first time an amendment otherwise is filed, but in no event later than 120 days after October 1, 1975.

Every broker or dealer who submits an application for registration to the Commission on or after October 1, 1975, shall file as an application a complete Form BD.

HOW AND WHERE TO FILE

Form BD and the appropriate schedules are to be filed *in triplicate* with the Securities and Exchange Commission, Washington, D.C. 20549. All three copies of the form filed with the Commission shall be executed with a manual signature and notarized on the execution page. An exact copy should be retained. Copies of the form and schedules may be obtained from any office of the Commission. Copies of the form, mechanically duplicated, are acceptable for filing if an original manual signature is affixed to the execution page of each copy after duplication. The form may be duplicated by any method producing legible copies of type size identical to that in the form on good quality, unglazed, white paper 8½ x 11 inches in size.

FILING FORM BD AS AN APPLICATION

Rule 15b1-2 requires a statement of financial condition to be filed *in duplicate* with every application for registration as a broker-dealer with the Securities and Exchange Commission. This rule also requires certain statements and representations concerning the business of the applicant. A separate oath or affirmation must be attached to the financial statement and the statements and representations. (See Securities Exchange Act Release No. 9594, May 12, 1972.)

The Designation of Recipient for Service of Notice of Commission Proceeding attached to these special instructions must be completed and submitted *in triplicate* with every application for registration as a broker-dealer with the Commission.

Consult Rules 15b1-5 and 17a-7 under the Securities Exchange Act of 1934 to determine whether any *nonresident* of the United States named in the form is required to file a consent and power of attorney, or a notice or undertaking with respect to books and records. *Appropriate forms will be sent upon request.*

If this form is filed as an application by a broker-dealer on behalf of a successor not yet formed or organized, the information furnished shall relate to the successor to be formed. The form shall be executed by the predecessor. Section 15(b) of the Securities Exchange Act of 1934 and Rule 15b2-1 thereunder provide that registration shall terminate on the forty-fifth day after the effective date unless prior thereto the successor shall adopt the application as its own. *This procedure cannot be used where the successor is a sole proprietor.*

HOW TO COMPLETE FORM BD

Item 1. *Broker-dealers who were registered or whose registration was pending with the Commission on October 1, 1975, check Item 1 on the execution page to designate the filing as an AMENDMENT and answer all other items in the form completely. If any item is not applicable, indicate by "none" or "N/A."*

Subsequently, when amending Form BD, check and complete those items which are being amended or which have changed since the most recent previous filing, and complete all other items on the page or pages being amended. File the amended pages with completed copies of the execution page.

Broker-dealers filing Form BD as an application for registration, check Item 1 on the execution page to designate the filing as an APPLICATION and answer all other items completely. If any item is not applicable, indicate by "none" or "N/A."

Item 7(a). Complete if applicant is taking over substantially all the assets and liabilities and continuing the business of a registered broker-dealer.

Item 7(b). Give details on Schedule E including the name and address of the other firm.

Item 8(b). *Reminder: If a registered partnership is dissolved and a new one is created to continue the business of the old one, the new partnership must file a new application for registration as a broker-dealer. (See Rule 15b1-3 concerning successor filings.)*

Item 16. Answer this item for the applicant as identified in Item 2(a) and *not* for associated persons.

Amending Form BD

Rule 15b3-1 requires that if the information contained in the application for registration, or in any supplement or amendment thereto, is or becomes inaccurate for any reason, an amendment correcting such information must be filed promptly on Form BD.

When any item on a page is amended, it is necessary to answer all items on the page being amended. Pages which contain obsolete information are retired to the commission's inactive files.

Designation of Recipient for Service of Notice of Commission Proceeding.—Applicant consents that the notice of any proceeding before the Securities and Exchange Commission in connection with its application for registration, or its registration, as a broker-dealer may be given by sending notice by registered or certified mail or confirmed telegram to the person named below, at the address given.

(Last name) (First name) (Middle name)

(Number and street)

(City) (State) (ZIP Code)

Section 15(b), 48 Stat. 895, as amended, 15 U.S.C. 78o(b); Section 17(a), 48 Stat. 897, as amended, 15 U.S.C. 78q(a); Section 23(a), 48 Stat. 901, as amended, 15 U.S.C. 78w(a).

The Commission has determined that the adoption of the special instructions to revised Form BD will not impose a burden on competition.

By the Commission.

[SEAL] SHIRLEY E. HOLLIS,
Assistant Secretary.

AUGUST 14, 1975.

[FR Doc.75-22177 Filed 8-21-75;8:45 am]

Title 19—Customs Duties
CHAPTER I—UNITED STATES
CUSTOMS SERVICE

[T.D. 75-210]

PART 12—SPECIAL CLASSES OF
MERCHANDISE

Importation of Cheese

Pursuant to section 204 of the Agricultural Act of 1956 (7 U.S.C. 1854) and 3 U.S.C. 301, the President of the United States in Executive Order No. 11851, dated April 10, 1975 (40 FR 16645), authorized the Secretary of the Treasury, with the concurrence of the Secretary of State and the Special Representative for Trade Negotiations, to issue regulations implementing an agreement reached with representatives of the Commission of the European Communities regarding the importation into the United States of certain cheeses originating in the member states of the European Communities. This agreement is intended to prevent (a) the importation into the Customs territory of the United States, except for the Commonwealth of Puerto Rico, of certain cheeses, originating in member states of the European Communities, upon which restitution payments have been made for export to (1) Puerto Rico, the Virgin Islands, other United States possessions and territories, or (2) any country other than the United States, and (b) to prevent the importation of such cheeses into the Commonwealth of Puerto Rico if such cheeses are imported into the Commonwealth of Puerto Rico for transshipment to other areas of the Customs territory of the United States.

In order to carry out the intent of this agreement and to facilitate the identification of shipments of the cheeses described above when presented for entry, it has been decided to amend Part 12 of the Customs Regulations (19 CFR Part 12) to provide for the refusal of any such entry unless accompanied by either (1) an affidavit, in the event of shipments into the Customs territory of the United States (excluding Puerto Rico), from either the producer or exporter of the cheese that no restitution payments of the type referred to in Executive Order No. 11851 have been received or will be received with respect to the cheese, or (2) an affidavit, in the event of shipments into Puerto Rico, of the importer that the cheese will be consumed in Puerto Rico or areas outside the Customs territory of the United States. Proof of actual consumption must also be furnished the appropriate Customs officer in the event of shipments into Puerto Rico within three years after the date such cheese is entered, or withdrawn from warehouse, for consumption.

These affidavits shall not be required to accompany importations of cheese produced in the member states of the European Communities if such cheese is shipped directly to the United States (excluding Puerto Rico) from the country of origin on a through bill of lading.

Accordingly, pursuant to the authority set forth in Executive Order No. 11851 and in sections 303, 624, 46 Stat. 687, 759 (19 U.S.C. 1303, 1624), and with the concurrence of the Secretary of State and the Special Representative for Trade Negotiations, Part 12 of the Customs Regulations (19 CFR Part 12) is amended by adding a new § 12.6 and a centerheading thereto to read as follows:

IMPORTATION OF CERTAIN CHEESES

§ 12.6 Affidavits required to accompany entry.

(a) Cheeses produced in the member states of the European Communities shall not be permitted entry into the Customs territory of the United States (excluding Puerto Rico) if exported from any country or area other than the country of origin, or into Puerto Rico, unless accompanied by:

(1) An affidavit, in the event of shipments into the Customs territory of the United States (excluding Puerto Rico), of the producer or exporter that the cheese has not received and will not receive restitution payments of the type referred to in Executive Order No. 11851, dated April 10, 1975 (40 FR 16645); or

(2) An affidavit, in the event of shipments into Puerto Rico, of the importer that the cheese will be consumed in Puerto Rico or areas outside the Customs territory of the United States. Proof of actual consumption shall be furnished to the appropriate Customs officer within three years after the date such cheese is entered or withdrawn from warehouse, for consumption.

(b) These affidavits shall not be required to accompany importations of

cheese produced in the member states of the European Communities if such cheese is shipped directly to the United States (excluding Puerto Rico) from the country of origin on a through bill of lading.

(Sec. 303, 46 Stat. 687, sec. 204, 70 Stat. 200, as amended (7 U.S.C. 1854, 19 U.S.C. 1303))

(R.S. 251, as amended, sec. 624, 46 Stat. 759 (19 U.S.C. 66, 1624))

Inasmuch as the above amendment implements an agreement entered into under the foreign affairs function of the United States, notice and public procedure thereon is unnecessary and good cause is found for dispensing with the 30-day delayed effective date provision of 5 U.S.C. 553.

Effective date. This amendment shall be effective with respect to merchandise entered, or withdrawn from warehouse, on or after September 8, 1975.

Dated: August 19, 1975.

DAVID R. MACDONALD,
Assistant Secretary
of the Treasury.

[FR Doc. 75-22378 Filed 8-21-75; 8:45 am]

Title 21—Food and Drugs

CHAPTER II—DRUG ENFORCEMENT ADMINISTRATION, DEPARTMENT OF JUSTICE

PART 1308—SCHEDULES OF CONTROLLED SUBSTANCES

Exempt Chemical Preparations

The Acting Administrator of the Drug Enforcement Administration has received applications pursuant to Section 1308.23 of Title 21 of the Code of Federal Regulations requesting that several chemical preparations containing controlled substances be granted the exemptions provided for in § 1308.24 of Title 21 of the Code of Federal Regulations.

The Acting Administrator hereby finds that each of the following chemical preparations and mixtures is intended for laboratory, industrial, educational, or special research purposes, is not intended for general administration to a human being or other animal, and either (a) contains no narcotic controlled sub-

stances and is packaged in such a form or concentration that the package quantity does not present any significant potential for abuse, (b) contains either a narcotic or non-narcotic controlled substance and one or more adulterating or denaturing agents in such a manner, combination, quantity, proportion or concentration, that the preparation or mixture does not present any potential for abuse, or (c) the formulation of such preparation or mixture incorporates methods of denaturing or other means so that the controlled substance cannot in practice be removed, and therefore the preparation or mixture does not present any significant potential for abuse. The Acting Administrator further finds that exemption of the following chemical preparations and mixtures is consistent with the public health and safety as well as the needs of researchers, chemical analysts, and suppliers of these products.

Therefore, pursuant to section 202(d) of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 812(d)), and under the authority vested in the Attorney General by sections 301 and 501(b) of the Act (21 U.S.C. 821 and 871(b)) and delegated to the Administrator of the Drug Enforcement Administration by Section 0.100 of Title 28 of the Code of Federal Regulations (see 38 FR 18380, July 2, 1973), and further, having been duly designated as Acting Administrator by Order No. 607-75 of the Attorney General, dated May 30, 1975, in accordance with the authority stated therein, and pursuant to the authority delegated to the Acting Administrator by § 0.132(d) of Title 28 of the Code of Federal Regulations, the Acting Administrator of the Drug Enforcement Administration hereby orders that Part 1308 of Title 21 of the Code of Federal Regulations be amended as follows:

a. By amending § 1308.24(i) by adding the following chemical preparations.

§ 1308.24 Exempt chemical preparations.

* * * * *

Manufacturer or supplier	Product name and supplier's catalog No.	Form of product	Date of application
American Hospital Supply Corp. (Dade Division).	DATA-tope™ T 125 4. Buffered thyroxine, catalog No. B5644-21.	I Bottle: 55 ml.	June 11, 1975
Do.....	DATA-tope™ T 125 4. Buffered thyroxine, catalog No. B5644-25.	I Bottle: 255 ml.	Do.
Do.....	DATA-tope™ T 125 4. Buffered thyroxine, catalog No. B5644-29.	I Bottle: 505 ml.	Do.
Do.....	DATA-tope™ CT 125 4. Buffered thyroxine, catalog No. B5644-40.	I Bottle: 55 ml.	Do.
Do.....	DATA-tope™ CT 125 4. Buffered thyroxine, catalog No. B5644-45.	I Bottle: 255 ml.	Do.
Do.....	DATA-tope™ T 125 4. Buffered thyroxine, catalog No. B5644-35.	I Bottle: 505 ml.	Do.
Amersham/Searle.....	d-methylene ¹⁴ C] Amphetamine Sulfate, catalog No. CFA 544.	Ampoule: 110×13 mm.	Do.
Bio-Reagents & Diagnostics, Inc.	Urino Control II No. 696-425.	Bottle: 25 ml.	June 2, 1975
Cordis Laboratories.....	Counter-electrophoresis (CEP) Plates for Trichinosis Testing.	Plastic Plates: 40 mm×90 mm×2.5 mm.	June 16, 1975
Diagnostic Products Corp.....	T-3 Antiserum	Serum Vial: 10 ml.	June 12, 1975
Do.....	125 I T-3.....	do.....	Do.
Do.....	T-4 Antiserum.....	do.....	Do.
Do.....	125 I T-4.....	do.....	Do.
Do.....	Goat Anti-Rabbit Gamma Globulin.....	do.....	Do.

Manufacturer or supplier	Product name and supplier's catalog No.	Form of product	Date of application
Dow Chemical Co.	Iodine-125 Trilodothyronine Lyophilized.	Vial: 20.5 ml.	June 22, 1975
Do.	Anti-trilodothyronine Serum Lyophilized.	Vial: 20.5 ml.	Do.
Do.	ANSA Buffer Lyophilized.	Vial: 20.5 ml.	Do.
Do.	Dextran Lyophilized.	Vial: 20.5 ml.	Do.
Electro-Nucleonics Laboratories, Inc.	Morphine (3a), List No. 4006.	Glass vial: 5 ml.	June 20, 1975
Do.	Morphine Positive Control, List No. 4006.	Glass vial.	Do.
Millipore Corp.	Electro-Agaro Slide Buffer No. 1.	Vial: 10.19 gm.	June 16, 1975

b. By amending Section 1308.24(1) by deleting the following chemical preparations:

Manufacturer or supplier	Product name and supplier's catalog No.	Form of product	Date of application
American Hospital Supply Corp. (Dade Division).	Thyroxine Buffer No. B5630-2.	Bottle: 55 ml.	Jan. 22, 1973
Do.	Thyroxine Buffer No. B-5630-6.	Bottle: 245 ml.	Do.
Bio-Reagents & Diagnostics, Inc.	Abnormal Control Urine-Dried No. 695-425.	Bottle: 25 ml.	June 23, 1973
Dow Chemical Co.	Iodine-125 Trilodothyronine Lyophilized.	Vial: 20.5 ml.	Mar. 17, 1975
Do.	Anti-trilodothyronine Serum Lyophilized.	Vial: 20.5 ml.	Do.
Do.	ANSA Buffer Lyophilized.	Vial: 20.5 ml.	Do.
Do.	Dextran Lyophilized.	Vial: 20.5 ml.	Do.
Wien Laboratories, Inc.	PEG Solution Catalog No. T-5089.	Bottle: 4 oz.	Dec. 22, 1972

Effective date. This order is effective August 22, 1975. Any person interested may file written comments on or objections to the order on or before October 27, 1975. If any such comments or objections raise significant issues regarding and finding of fact or conclusion of law upon which the order is based, the Acting Administrator shall immediately suspend the effectiveness of the order until he may reconsider the application in light of the comments and objections filed. Thereafter, the Acting Administrator shall reinstate, revoke or amend his original order as he determines appropriate.

Dated: August 5, 1975.

JERRY N. JENSON,
Acting Administrator,
Drug Enforcement Administration.

[FR Doc. 75-22099 Filed 8-21-75; 8:45 am]

Title 24—Housing and Urban Development

SUBTITLE A—OFFICE OF THE SECRETARY, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

PART 42—RELOCATION PAYMENTS AND ASSISTANCE AND REAL PROPERTY ACQUISITION UNDER THE RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT OF 1970

CFR Correction

On page 117 of Title 24 (Parts 0-499), revised as of April 1, 1975, Subparts F and G were inadvertently omitted. Subparts F and G should appear as follows:

Subpart F—Grievance Procedure Relating to Claims and Payments

SOURCE: 38 FR 5169, Feb. 26, 1973, unless otherwise noted.

§ 42.220 Purpose.

The purpose of this subpart is to set forth the guidelines for processing appeals from State agency determinations as to eligibility for, or the amount of, a payment made under the regulations in

Subpart B and §§ 42.140 and 42.145 of Subpart C, State agencies shall establish in Subpart B and §§ 42.140 and 42.145 of Subpart C. State agencies shall establish procedures to implement the regulations in Subpart B and §§ 42.140 and 42.145 of Subpart C. The State agency's procedures may include provisions not included in these procedures provided they are not inconsistent with the procedures contained herein.

(38 FR 5169, Feb. 26, 1973, as amended at 38 FR 25172, Sept. 12, 1973)

§ 42.225 Right of review.

Any claimant, meaning a person aggrieved by a determination as to eligibility for, or the amount of, a payment under the regulations in this part, may have his claim reviewed and reconsidered by the head of the State agency or his authorized designee (other than the person who made the determination in question) in accordance with the procedures set forth in this subpart, as supplemented by such procedures as the State agency shall have established for such review and reconsideration. Where such a person is not satisfied with the State agency's determination after such review and reconsideration, he is entitled to review of his claim by HUD. Any person or class of persons may similarly seek review and revision of any schedule with respect to payments under the regulations in this part.

§ 42.230 Notification to claimant.

If the State agency denies the eligibility of a claimant for a payment or disapproves the full amount claimed or refuses to consider the claim on its merits because of untimely filing or any other ground, the State agency's notification to the claimant of its determination shall inform the claimant of its reasons therefor and shall also inform the claimant

of the applicable procedures for obtaining State agency and HUD review of this determination.

§ 42.235 Request for State agency review.

(a) **General.** Any person who has a right to seek review pursuant to § 42.225 may, within the time limit specified in paragraph (d)(1) of this section, request the State agency to provide him with a full written explanation of its determination and the basis therefor if he feels that the explanation accompanying the payment of his claim or notice of the agency's determination was incorrect or inadequate. The State agency shall provide such an explanation to the claimant within 15 days of its receipt of claimant's request.

(b) **Informal presentation.** Upon request of the claimant, within the time limit specified in paragraph (d)(1) of this section, the State agency shall, within 15 days of the request, afford him an opportunity to make an oral presentation prior to filing a written request for review pursuant to paragraph (c) of this section. The claimant may be represented by an attorney or other person of his choosing. This oral presentation shall enable the claimant to discuss his claim with the head of the State agency or a designee (other than the person who made the initial determination) having the authority to revise the initial determination on the claim. The State agency shall make a summary of the matters discussed in the oral presentation and it should be included as part of its file.

(c) **The written request for review.** The claimant may include in his request for review any statement of fact within his knowledge or belief, or other material which he feels has a bearing on his appeal. If the claimant requests more time to gather and prepare additional material for consideration or review and demonstrates a reasonable basis therefor, he may be granted 30 days from the date of his request for review. If the claimant feels he is unable to prepare the written claim, the State agency shall offer to provide assistance to the claimant and further notify the claimant of other available sources of assistance. The making of an oral presentation pursuant to paragraph (b) of this section shall not be deemed a condition precedent to the filing of a written request for review.

(d) **Time limits for filing written request for review.** (1) A claimant desiring review and reconsideration of the State agency's determination shall file a written request for review with the State agency either (i) within 6 months of the agency's notification to the claimant of its determination or (ii) prior to final closeout of the project which caused the displacement, whichever is earlier, but in no event less than 30 days following the agency's notification to the claimant of its determination.

(2) The time period specified in paragraph (d)(1) of this section shall be extended if necessary so that a claimant who previously made requests pursuant to paragraph (a) or (b) of this section

shall have no less than 30 days from his receipt of the written explanation or from making the informal presentation, whichever is later, within which to file his written request for review and reconsideration.

§ 42.240 State agency review.

(a) *General.* The State agency shall consider the request for review and shall make a determination as to whether a modification is necessary. This review should be conducted by the head of the State agency or his authorized designee (other than the person who made the determination). A designee must have the authority to revise the initial determination of the claim and any determination reached pursuant to an oral presentation. The State agency shall consider every complaint regardless of form.

(b) *Scope of review.* The State agency shall review and reconsider its initial determination of the claimant's case in light of:

(1) All material upon which the State agency based its original determination including all applicable rules and regulations;

(2) The reasons given by the claimant for requesting review and reconsideration of his claim;

(3) Whatever additional written material has been submitted by the claimant; and

(4) Any further information which the State agency may, in its discretion, obtain by request, investigation, or research, to insure fair and full review of the claim.

(c) *Determination on review by State agency.* The final determination on review by the State agency shall include, but is not limited to:

(1) The agency's decision on reconsideration of the claim;

(2) The factual and legal basis upon which its decision is based, including any pertinent explanation or rationale;

(3) A statement of claimant's right to seek within 30 days further review of his claim by HUD and an explanation of the steps the claimant must take to obtain this review, including the address of the HUD Area Office which has responsibility for the locality wherein the displacement occurred.

(d) *Time limits.* (1) The State agency shall issue its determination of review within 30 days from receipt of the last material submitted for consideration by the claimant in accordance with § 42.235. The State agency shall forward a copy of the determination to the HUD Area Office at the time the determination is sent to the claimant. (Unless the context indicates otherwise, "Area Office" and "Director" shall be used in this subpart to refer to the Regional Office and the Regional Administrator where there is no area office.)

(2) In the case of complaints dismissed for untimeliness or for any other reason not based on the merits of the claim, the State agency shall issue a statement as to why the complaint was dismissed to the claimant and forward a

copy to the HUD Area Office within 10 days from receipt of the last material submitted by the claimant.

§ 42.245 Request for HUD review.

(a) *General.* Any person who believes himself aggrieved as the result of the final determination of his claim on review by the State agency may request HUD review of his claim. The request for HUD review shall be submitted to the Director of the HUD Area Office which has responsibility for the particular locality wherein the displacement occurred.

(b) *Submission by claimant.* The claimant may include in his request for review by the Area Director any facts within his knowledge or belief or other material which he feels will have a direct bearing on his claim: *Provided*, That where the claimant submits material to HUD which was not submitted to the State agency for review, HUD will provide the State agency an opportunity to review such new material and to submit any comments it wishes to make.

(c) *Submission of State agency's file.* Upon receipt of a request for review by HUD, the Area Director shall forward a copy of such request by certified mail, return receipt requested, to the State agency which made the initial determination, and shall direct the State agency to submit a copy of the complete file of the claimant's case, including materials upon which the State agency based its decision. The State agency shall forward this material to the Area Director within 10 days of having been directed to do so.

(d) *Time limit.* The claimant shall file a written request for review of his claim with the Area Director within 30 days from the date of receipt of the determination on review issued by the State agency.

§ 42.250 HUD review.

(a) *General.* The Area Director shall issue his determination on review within 30 days from the date of receipt of the last material submitted by the claimant in accordance with § 42.245 or the date of receipt of the complete file of claimant's case from the State agency, whichever is later.

(b) *Scope of review.* The Area Director shall make his determination of the claimant's case in light of:

(1) All material upon which the State agency based its original determination, including all applicable rules and regulations;

(2) The reasons given by the claimant for requesting review and reconsideration of his claim;

(3) Whatever written material has been submitted by the claimant; and

(4) Any further information which HUD may, in its discretion, obtain by request, investigation, or research to insure a fair and full review of the claim.

(c) *Determination on review by HUD.*—The written determination by HUD shall be delivered to the State agency and to the claimant and shall include, but need not be limited to:

(1) The Area Director's decision on reconsideration of the claim;

(2) Findings of fact and conclusions of law, including any pertinent explanation or rationale;

(3) If the claimant is determined to have been aggrieved as to eligibility for, or the amount of, a payment under the regulations in Subpart B or under § 42.140 or § 42.145 of Subpart C, a direction to the State agency to take immediate steps to make payment to the aggrieved person in accordance with HUD's determination;

(4) A statement of claimant's right to seek judicial review.

(d) *Final determinations not based on merits.* A State agency's refusal to review a claim (e.g., because of claimant's failure to request such review within the required time period) shall be considered as a "final determination" and upon the claimant's request shall be reviewed by HUD. If the Area Director finds that the State agency's refusal to review the claim was unreasonable, the claim shall be remanded to the State agency for review on its merits within 30 days of the State agency's receipt of the remanded claim. If the State agency's refusal to hear the claim is not found to have been unreasonable, the Area Director shall so notify the claimant and inform him that he may have a right to judicial review.

[38 FR 5169, Feb. 26, 1973, as amended at 38 FR 25172, Sept. 12, 1973]

§ 42.255 Review procedure in connection with refusals to waive time limitation on filing of claims.

(a) *State agency review.* Whenever a State agency rejects a request by a claimant for a waiver of the time limits provided in § 42.60 for filing payment claims, a claimant may file a written request for review of this decision in accordance with the procedures set forth in §§ 42.235 and 42.240, except that such written request for review must be filed within 30 days of the claimant's receipt of the State agency's determination. If after reviewing the claim the State agency determines that the time limits for filing claims should be waived, the State agency shall promptly request HUD concurrence in accordance with § 42.215 and the claimant shall be so informed.

(b) *HUD review.* If upon review the State agency determines that the time limits for filing claims should not be waived, the claimant should be so informed in accordance with § 42.240(c). If the claimant believes himself aggrieved by this determination, he may then file a written request, in accordance with the procedures of §§ 42.245 and 42.250, to the Director of the Area Office, which has responsibility for the locality wherein the displacement occurred, for a review of the reasonableness of the State agency's determination in refusing to grant the waiver. If the Area Director determines that there was good cause for the failure to file within the time period of § 42.60, he shall then remand the claim to the State agency for consideration on the merits and the

claimant shall be so informed. If the Area Director concurs in the State agency's determination that a waiver should not be granted, both the State agency and the claimant shall be informed that he may have a right to judicial review.

§ 42.260 Extension of time limits.

The time limits specified in §§ 42.235 and 42.245 may be extended for good cause by the State agency or by the Area Director, respectively.

§ 42.265 Recommendations by third party.

Upon agreement between the claimant and the State agency, a mutually acceptable third party or parties may review the claim and make advisory recommendations thereon to the head of the State agency for its final determination. The agreement between the claimant and the State agency may provide for an extension of the time limit for State agency review set out in § 42.240(d). In reviewing the claim and making recommendations to the State agency, the third party or parties should be guided by the provisions of § 42.240(b) and paragraph (c) (1) and (2) of § 42.240. The requirements of these sections and of paragraph (c) (3) of § 42.240 remain fully applicable to the State agency.

§ 42.270 Review of files by claimant.

Except for confidential material, and except to the extent specifically prohibited by law, a State agency shall permit the claimant to inspect all files and records bearing upon his claim or the prosecution of his grievance. The State agency may, however, impose reasonable conditions on the claimant's right to inspect.

§ 42.275 Effect of determination on other persons.

The principles established in all determinations by a State agency (unless modified by HUD) or by HUD shall be applied to all similar cases regardless of whether or not a person has filed a written request for review.

§ 42.280 Construction of rules and regulations.

This subpart, and all applicable rules and regulations on which State agency and HUD determinations are based, shall be liberally construed so as to fulfill the statutory purpose as declared in section 201 of the Act of "fair and equitable treatment" in order that displaced persons "not suffer disproportionate injuries as a result of programs designed for the benefit of the public as a whole."

§ 42.285 Right to counsel.

Any aggrieved party has a right to representation by legal or other counsel at his own expense at any and all stages of the proceedings set forth in this subpart.

§ 42.290 Judicial review.

Nothing in this subpart shall in any way preclude or limit a claimant from seeking judicial review or receiving a fair

and impartial consideration of his claim on its merits upon exhaustion of such administrative remedies as are available to him under this subpart.

Subpart G—Grievance Procedures Relating to Adequacy of Replacement Housing

SOURCE: 38 FR 14919, June 7, 1973, unless otherwise noted.

§ 42.300 Purpose.

The purpose of this subpart is to set forth guidelines for processing complaints from persons who believe themselves aggrieved by the failure of the State agency to refer them to adequate replacement housing as provided by § 42.120 of subpart C of the regulations in this part.

§ 42.305 Right of appeal.

(a) *General.*—A complainant, meaning a person who believes himself aggrieved by a failure of a State agency to refer him to adequate replacement housing as provided by § 42.120 of subpart C of these regulations, may file a complaint with the head of the State agency or his authorized designee. Advice on the right to file a complaint under these procedures shall be a part of the information statement required by § 42.165 of subpart C of the regulations in this part. Where such person is not satisfied with the results of the State agency's determination, he is entitled to have his complaint reviewed by HUD.

(b) *Joint complainants.*—Two or more complainants may join in filing a single written request for review with the State agency provided that each is aggrieved by the failure of the State agency to refer him to adequate replacement housing as provided in § 42.120 of subpart C of the regulations in this part. A determination should be made by the State agency for each of the complainants.

§ 42.310 Request for State agency review.

(a) *Oral presentation.*—Upon request of the complainant, the State agency shall, within 15 days of the request, afford him an opportunity to make an oral presentation prior to filing a written request for review pursuant to paragraph (c) of this section. This oral presentation shall enable the complainant in the company of an advisor, attorney or other representative, if he so wishes, to discuss his complaint with the head of the State agency or his authorized designee. Such designee shall be someone other than the person who has been providing relocation services. The request of a complainant for an oral presentation shall not entitle him to any stay of displacement.

(b) *Time limits for requesting oral presentation.*—This right to an oral presentation shall be available to a complainant at any time prior to the date of displacement and no later than 6 months after displacement, unless closeout of the project occurs prior to that time in which case the oral presentation must be requested prior to project closeout or within 90 days following displacement, whichever is later. If the State agency

rejects the complainant's contentions in whole or in part, it must notify the complainant, with a copy to HUD, that he has a right to file a written request for State agency review. The State agency shall make a summary of the matters discussed in the oral presentation and it should be included as part of its file.

(c) *The written request for review.*—The complainant may file a written request for review with the head of the State agency within the time limits prescribed by paragraph (d) of this section and such written request may include any statement of fact within complainant's knowledge or belief, or other material which has a bearing on his appeal. If the complainant requests more time to gather and prepare additional information for consideration or review and demonstrates a reasonable basis therefor, he may be granted additional time. If the complainant is unable to prepare the written complaint, the State agency shall offer to provide assistance to the complainant and further notify the complainant of other available sources of assistance. The State agency, however, shall consider every complaint regardless of form. The making of an oral presentation pursuant to paragraph (a) of this section shall not be deemed a condition precedent to the filing of a written request for review.

(d) *Time limits for filing written request for review.*—A complainant may file a written request for review with the State agency at any time prior to the date of displacement. Such request for review may also be filed with the State agency no later than 6 months after displacement, unless final closeout of the project occurs prior to that time, in which case the written request must be made prior to project closeout or within 90 days following displacement, whichever date is later: *Provided*, That in any case in which an oral presentation is requested after displacement pursuant to paragraph (a) of this section, the time period specified in this paragraph shall be extended if necessary so that a complainant shall have no less than 30 days from the date he is advised of the determination on the oral presentation.

§ 42.315 State agency review of the written request.

(a) *General.*—The State agency shall review the written request for review and shall make a determination as to whether adequate replacement housing has been offered to a complainant as provided by § 42.120 of subpart C of these regulations. The State agency shall issue to the complainant a copy of the determination and shall notify the complainant of his right to seek HUD review. A copy of the determination shall also be sent to HUD. The review shall not be made by the official who provides the relocation services, nor anyone subordinate to that official.

(b) *Scope of review.*—In making its determination, the State agency shall consider the following:

(1) All material upon which the State agency based its original determination, including all applicable rules and regulations;

(2) The reasons given by the complainant in support of his complaint;

(3) Whatever additional written material has been submitted by the complainant for the purpose of this review; and

(4) Any further information the State agency may, in its discretion, obtain by request, investigation or research to insure a fair and full review of the complaint.

(c) *Determination on review.*—The written determination on review shall include, but is not limited to:

(1) The agency's decision upon review of the complaint;

(2) The factual and legal basis upon which this decision is based, including any pertinent explanation or rationale for the decision;

(3) The relief to which the complainant is entitled, and a brief statement on how this will be achieved; and

(4) A statement of complainant's right to seek further review by HUD and an explanation of what steps the complainant must take to obtain this review.

(d) *State agency determinations not based on merits.*—A State agency's refusal to provide an oral presentation after one has been requested or review a written complaint on the merits (e.g., because of complainant's failure to request an oral presentation or file for written review within the required time or because the matter is not deemed ripe for determination), shall upon complainant's request, be reviewed by HUD in the manner described in §§ 42.325 and 42.330. However, in any case where a State agency refuses to provide an oral presentation or review a written complaint prior to displacement, because the matter is not ripe for determination, the complainant shall also be notified that he may request an oral presentation or file a written complaint at a later time if adequate housing is not provided.

(e) *Time limits.*—(1) The State agency shall issue its determination on review within 15 days from receipt of the last material submitted for consideration by the complainant in accordance with § 42.310.

(2) In the case of requests for oral presentations or written complaints dismissed for untimeliness or because the matter is not ripe for review or for any other reason not based on the merits, the State agency shall issue a statement to the complainant as to why the request for an oral presentation or written complaint was dismissed. The statement, with a copy to HUD, should be sent within 10 days of receipt of the last material submitted by the complainant or within 10 days of the complainant's request for an oral presentation.

§ 42.320 Review of files by complainant.

Except for confidential material, and except to the extent specifically prohibited by law, a State agency shall permit the complainant to inspect all files and records bearing upon the actions of the State agency in referring him to replacement housing or the prosecution of his

grievance. The State agency may, however, impose reasonable conditions on the complainant's right to inspect.

§ 42.325 Request for HUD review.

(a) *General.*—A complainant who believes himself aggrieved as a result of the final determination of his written request for review by the State agency may request HUD to make a redetermination on his complaint. The request for HUD review shall be submitted in writing to the director of the appropriate HUD area office or, where there is no HUD area office, to the Regional Administrator of the appropriate HUD regional office. (Unless the context indicates otherwise, "Area Director" shall be used in this subpart to refer to the Regional Administrator where there is no area office.) The complainant shall also send a copy of his request for HUD review to the head of the State agency. The State agency shall then submit its complete file on the complaint to the Area Director as soon as possible, but in no event later than 5 days.

(b) *Submissions by complainant.*—The complainant may include in the request for review by the Area Director any statement of facts within his knowledge or belief or other material which will have a direct bearing on the complaint. The complainant need not, however, repeat arguments nor submit material previously provided to the State agency for its review: *Provided*, That where the complainant submits material to HUD which was not submitted to the State agency for review, HUD will provide the State agency with an opportunity to review such new material and to submit any comments which it wishes to make.

(c) *Time limit.*—The complainant shall file the written request for HUD review of his complaint with the Area Director (and the copy with the State agency) within 10 days from the date of receipt of the determination on review issued by the State agency.

§ 42.330 HUD review.

(a) *General.*—The Area Director shall review the complaint as submitted by the complainant together with the material submitted to him by the State agency and shall issue to the complainant a copy of the determination within 15 days from the receipt of the complete file of complainant's case from the State agency.

(b) *Scope of review.*—In making his determination, the Area Director shall consider the following:

(1) All the material upon which the State agency based its determination, including all applicable rules and regulations;

(2) The reasons given by the complainant for requesting reconsideration and review of his complaint;

(3) Whatever written material has been submitted by the complainant for the purposes of this review; and

(4) Any further information which HUD may, in its discretion, obtain by request, investigation or research to

insure a fair and full review of the complaint.

(c) *Determination on review by HUD.* The written determination by HUD shall be delivered to the State agency and to the complainant and shall include, but need not be limited to:

(1) The Area Director's decision on reconsideration of the complaint;

(2) The factual and legal findings upon which the decision is based, including any pertinent explanation or rationale for the decision;

(3) The relief, if any, to which the complainant is entitled, and directions to the State agency on how this shall be achieved;

(4) Notification to the complainant of his right to seek further HUD assistance if the relief specified in paragraph (c) (3) of this section is not provided;

(5) Notification to the complainant of his right to seek judicial review in the event the determination is adverse.

(d) *Review of State agency determinations not based on the merits.*—If the Area Director finds that the State agency's refusal to review the complaint on its merits was unreasonable, the complaint shall be remanded to the State agency for review on its merits within 15 days of the State agency's receipt of the remanded complaint. If the State agency's refusal to hear the complaint is not found to have been unreasonable, the Area Director shall so notify the complainant and inform him that he may have a right to judicial review: *Provided*, That in the case of complaints dismissed by a State agency as not ripe for determination, and upheld by the Area Director, the complainant should again be notified that he may request an oral presentation or file a written complaint at a stage which would warrant an oral presentation or review.

[38 FR 14919, June 7, 1973, as amended at 38 FR 26113, Sept. 18, 1973]

§ 42.335 Stay of displacement pending review.

If the written request is filed before displacement, the State agency shall not require the complainant to move until at least 20 days after it has made a determination and the complainant has had an opportunity to seek HUD review. If the complainant seeks HUD review, no displacement shall occur pending HUD's determination. If the HUD determination is adverse to the complainant, he may not be displaced until at least 20 days after receipt of notice of the HUD determination. In all cases, the State agency must notify the complainant in writing 20 days prior to the proposed new date of displacement, and in no case may a complainant be displaced unless he is offered comparable replacement housing as provided in § 42.120 of subpart C of the regulations in this part.

§ 42.340 Remedies for persons displaced.

Whenever it is determined by the State agency or by HUD that a complainant has been referred to replacement housing

which fails to meet the criteria provided in subpart C of these regulations, the State agency shall take immediate steps to offer to the complainant replacement housing pursuant to § 142.120 of subpart C of the regulations in this part. The State agency will pay for the reasonable costs of the move to such replacement housing, either by arranging for the move and paying the mover directly, or by reimbursing the complainant for the reasonable costs of the move. Such expenditures are deemed eligible costs in connection with the administration of relocation.

§ 42.345 Extension of time limits.

The time limits specified in §§ 42.310, 42.325 and 42.330 (a) and (d) may be extended for good cause by the State agency or by the Area Director, respectively.

§ 42.350 Construction of rules and regulations.

This subpart, and all applicable rules and regulations on which State agency and HUD determinations are based, shall be so construed as to fulfill the statutory purpose as declared in section 201 of the act of "fair and equitable treatment" in order that displaced persons "not suffer disproportionate injuries as a result of programs designed for the benefit of the public as a whole."

§ 42.355 Right to representation.

Any aggrieved party has a right to representation by legal counsel and to be accompanied by an advisor, attorney or other representative in any personal appearance held pursuant to this subpart, but solely at his own expense.

§ 42.360 Effect of determination on other complaints.

The principles established in all determinations by a State agency (unless modified upon review by HUD), or by HUD shall be applied to all similar cases.

§ 42.365 Right to judicial review.

Nothing in this subpart shall in any way preclude or limit a complainant from seeking judicial review of his complaint on the merits upon exhaustion of such administrative remedies as are available to him under this subpart.

[Docket No. R-75-241]

PART 42—RELOCATION PAYMENTS AND ASSISTANCE AND REAL PROPERTY ACQUISITION UNDER THE UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT OF 1970

Miscellaneous Amendments

On February 20, 1975, at F.R. 7602, the Department of Housing and Urban Development amended Title 24, Part 42, of the Code of Federal Regulations, to simplify and consolidate certain provisions of the HUD relocation regulations and to

incorporate revised guidelines issued since enactment of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. Subsequently, some typographical errors were noted in the material and the Department has received requests for clarification of certain provisions.

Accordingly, Part 42 is being amended to: (1) Correct typographical errors in §§ 42.5, 42.20(s), 42.55(d)(3), 42.55(e)(3), 42.85(e)(2), and 42.135(h); (2) §§ 42.55(f)(3), 42.55(f)(4), and 42.55(g)(2) to clarify that an otherwise eligible person displaced by code enforcement, voluntary rehabilitation, or interim assistance activities may be eligible for a relocation payment if displacement occurs at any time after receipt of the prescribed notice from the State agency subject to the proviso set forth in the referenced subparagraphs; (3) revise § 42.55(i) to correct erroneous references to payments for actual reasonable business moving expenses, direct loss of property, and the cost of searching for a business replacement location in connection with moves from a dwelling as a result of displacement from a business or farm operation; (4) revise § 42.70(b) to clarify the method of computing a payment for direct loss of property; and (5) revise § 42.85(b)(3) by conforming the language in subparagraph (iii) to that in subparagraphs (i) and (ii) and by adding a proviso to permit flexibility in the application of one of the criteria for determining eligibility for a payment in lieu of actual moving expenses in certain cases.

Inasmuch as prompt corrective action is required to avoid misinterpretation of the regulations which are now being implemented on a nationwide basis by HUD program participants, it is impracticable to provide notice and public procedure in accordance with the Department's policy (24 CFR Part 10), and good cause exists for making these amendments effective immediately.

The Department has determined that an environmental impact statement is not required with respect to the amendments. The finding of inapplicability is available for examination during business hours in the office of the Rules Docket Clerk at Dept. of HUD, Rm. 10245, Washington, D.C. 20410.

Accordingly, Part 42 is amended as follows:

§ 42.5 [Amended]

1. § 42.5 is corrected by changing the reference in the second parenthetical phrase from "(36 FR 8795-98)" to "(36 FR 8785-98)".

§ 42.20 [Amended]

2. The first sentence of § 42.20(s) is corrected to read: "(s) *State Agency*. The National Capital Housing Authority, the District of Columbia Redevelopment Land Agency, and any department, agency, or instrumentality of a State or of a political subdivision of a State, or any department, agency, or instrumentality of two or more States or of two or more

political subdivisions of a State or States."

§ 42.55 [Amended]

3. § 42.55(d)(3) is corrected by changing the third word in the third line from "and" to "or".

4. § 42.55(e)(3) is corrected by changing the reference to "§ 42.137" in the second proviso to "§ 42.138".

5. § 42.55(f)(3) is amended by deleting the words "less than 90 nor" in the twelfth and thirteenth lines of the subparagraph.

6. § 42.55(f)(4) is amended by deleting the words "less than 90 nor" in the seventeenth and eighteenth lines of the subparagraph.

7. § 42.55(g)(2) is amended by deleting the words "less than 90 nor" in the eighth line of the subparagraph.

8. § 42.55(i) is amended to read as follows:

(i) *Moves from dwellings as a result of displacement from a business or farm operation.* Notwithstanding any other provision of this Subpart, any person who moves from real property or moves his personal property from real property on or after the applicable date specified in paragraphs (a), (b), (c) or (d) of this section as a result of displacement (as specified in paragraphs (a), (b), (c), (d), (e), (f) or (g) of this section) from other real property on which such person conducts a business or farm operation shall qualify as a displaced person for the purposes of establishing basic eligibility for the following payments and assistance: (1) Actual reasonable moving expenses under § 42.65(a), (2) an alternative payment for individuals and families under § 42.80, and (3) relocation advisory assistance under Subpart C of this Part.

§ 42.70 [Amended]

9. § 42.70(b) is amended by revising the last paragraph to read as follows: "In every case a bona fide effort to sell such property shall first be made. Fair market value for continued use shall be calculated in accordance with HUD policies and procedures and the proceeds realized from any sale of all or part of such property shall be deducted from this determination. Bona fide efforts to sell shall be undertaken in accordance with applicable HUD policies and procedures."

§ 42.85 [Amended]

10. § 42.85(b)(3) is amended by deleting the words "each of" in the tenth line, and by adding a proviso to read as follows: "And provided further, That if in any case the State agency determines that the imposition of the test set forth at (iii) of this subparagraph would produce substantial hardship, it may make use of a percentage of the total gross income of the owner(s) which is more equitable under the circumstances."

11. § 42.85(e)(2) is corrected by changing the word "organization" to "organization" and the word "nat" to "not".

§ 42.135 [Amended]

12. § 42.135(h) is corrected by changing the last word in the fourth line from "or" to "on".

It is hereby certified that the economic and inflationary impacts of these amendments have been carefully evaluated in accordance with OMB Circular A-107.

Effective date. These amendments shall become effective on August 22, 1975.

CARLA A. HILLS,
Secretary of Housing
and Urban Development.

[FR Doc. 75-22232 Filed 8-21-75; 8:45 am]

CHAPTER II—OFFICE OF ASSISTANT SECRETARY FOR HOUSING PRODUCTION AND MORTGAGE CREDIT—FEDERAL HOUSING COMMISSIONER (FEDERAL HOUSING ADMINISTRATION)

SUBCHAPTER B—MORTGAGE AND LOAN INSURANCE PROGRAMS UNDER THE NATIONAL HOUSING ACT

[Docket No. R-75-347]

LEASEHOLD ESTATE

Determining Value or Replacement Cost

Parts 205, 207, 213, 220, 221, 227, 231, 232, 234, 235, 242, and 244 of the Regulations are amended to change the method for determining the value or replacement cost of a leasehold estate. The Regulations formerly required that the value or replacement cost of the property in fee simple be reduced by an amount equal to the capitalized value of ground rent fixed in even payments over the term of the lease. The purpose of the change is to permit the use of ground rentals at variable rates where leasehold estates are utilized in the various multifamily mortgage insurance programs. It is believed sliding scale ground rentals are more realistic in terms of contemporary economics.

Inasmuch as these amendments will not adversely affect any applicants or participants in the mortgage insurance programs, and applicants are desirous of utilizing the sliding scale ground rental presently, the Secretary has determined that advance publication, notice and public procedure are impracticable and unnecessary and good cause exists for making these amendments effective, as an interim rule, on publication.

Consistent with Department policy, 24 C.F.R. Part 10, interested persons are invited to participate in the making of the final rule by submitting written data, views or statements regarding this rule. Communications should be filed using the above docket number and title, with the Rules Docket Clerk, Office of General Counsel, Room 10245, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, D.C. 20410. All relevant material received on or before September 29, 1975, will be considered by the Secretary before adoption of these amendments as a final rule. Copies of comments submitted will be available during business hours, both before and after the specified closing date, at the above address, for examination by interested persons.

The Department has determined that these amendments will not have an environmental impact, and a finding of inapplicability has been prepared, a copy of which is available in the Office of the Rules Docket Clerk at the address indicated above.

Accordingly, Parts 205, 207, 213, 220, 221, 227, 231, 232, 234, 235, 242, and 244 of Chapter II of Title 24 of the Code of Federal Regulations are amended to read as follows:

PART 205—MORTGAGE INSURANCE FOR LAND DEVELOPMENT (TITLE X)

1. Section 205.57 is revised to read as follows:

§ 205.57 Reduced mortgage amount—leaseholds.

In the event the mortgage is secured by a leasehold estate rather than a fee simple estate, the value or replacement cost of the property described in the mortgage shall be the value or replacement cost of the leasehold estate (as determined by the Commissioner) which shall in all cases be less than the value or replacement cost of the property in fee simple.

PART 207—MULTIFAMILY HOUSING MORTGAGE INSURANCE

2. Section 207.4(e) is revised to read as follows:

§ 207.4 Maximum mortgage amounts.

(e) *Reduced mortgage amount—leaseholds.* In the event the mortgage is secured by a leasehold estate rather than a fee simple estate, the value or replacement cost of the property described in the mortgage shall be the value or replacement cost of the leasehold estate (as determined by the Commissioner) which shall in all cases be less than the value or replacement cost of the property in fee simple.

PART 213—COOPERATIVE HOUSING MORTGAGE INSURANCE

3. Section 213.7(f) is amended to read as follows:

§ 213.7 Maximum insurable amounts.

(f) *Reduced mortgage amount—leaseholds.* In the event the mortgage is secured by a leasehold estate rather than a fee simple estate, the value or replacement cost of the property described in the mortgage shall be the value or replacement cost of the leasehold estate (as determined by the Commissioner) which shall in all cases be less than the value or replacement cost of the property in fee simple.

PART 220—URBAN RENEWAL MORTGAGE INSURANCE AND INSURED IMPROVEMENT LOANS

4. Section 220.509 and its heading in the table of contents for the Part are revised to read as follows:

§ 220.509 Reduced mortgage amount—leaseholds.

In the event the mortgage is secured by a leasehold estate rather than a fee simple estate, the value or replacement cost of the property described in the mortgage shall be the value or replacement cost of the leasehold estate (as determined by the Commissioner) which shall in all cases be less than the value or replacement cost of the property in fee simple.

PART 221—LOW COST AND MODERATE INCOME MORTGAGE INSURANCE

5. Section 221.514(d) is revised to read as follows:

§ 221.514 Maximum mortgage amounts.

(d) *Reduced mortgage amount—leaseholds.* In the event the mortgage is secured by a leasehold estate rather than a fee simple estate, the value or replacement cost of the property described in the mortgage shall be the value or replacement cost of the leasehold estate (as determined by the Commissioner) which shall in all cases be less than the value or replacement cost of the property in fee simple.

PART 227—ARMED SERVICES HOUSING—IMPACTED AREAS [SEC. 810]

6. Section 227.20 is revised to read as follows:

§ 227.20 Reduced mortgage amount—leaseholds.

In the event the mortgage is secured by a leasehold estate rather than a fee simple estate, the value or replacement cost of the property described in the mortgage shall be the value or replacement cost of the leasehold estate (as determined by the Commissioner) which shall in all cases be less than the value or replacement cost of the property in fee simple. The mortgage amount shall be adjusted to the next lowest mortgage amount as stipulated in § 227.751 for individual mortgages.

PART 231—HOUSING MORTGAGE INSURANCE FOR THE ELDERLY

7. Section 231.3(d) is revised to read as follows:

§ 231.3 Maximum mortgage amounts—new constructions.

(d) *Reduced mortgage amount—leaseholds.* In the event the mortgage is secured by a leasehold estate rather than a fee simple estate, the value or replacement cost of the property described in the mortgage shall be the value or replacement cost of the leasehold estate (as determined by the Commissioner) which shall in all cases be less than the value or replacement cost of the property in fee simple.

PART 232—NURSING HOMES AND INTERMEDIATE CARE FACILITIES MORTGAGE INSURANCE

8. Section 232.33 is revised to read as follows:

§ 232.33 Reduced mortgage amount—leaseholds.

In the event the mortgage is secured by a leasehold estate rather than a fee simple estate, the value or replacement cost of the property described in the mortgage shall be the value or replacement cost of the leasehold estate (as determined by the Commissioner) which shall in all cases be less than the value or replacement cost of the property in fee simple.

PART 234—CONDOMINIUM OWNER-SHIP MORTGAGE INSURANCE

9. Section 234.540 is amended to read as follows:

§ 234.540 Reduced mortgage amount—leaseholds.

In the event the mortgage is secured by a leasehold estate rather than a fee simple estate, the value or replacement cost of the property described in the mortgage shall be the value or replacement cost of the leasehold estate (as determined by the Commissioner) which shall in all cases be less than the value or replacement cost of the property in fee simple.

PART 235—MORTGAGE INSURANCE AND ASSISTANCE PAYMENTS FOR HOME OWNERSHIP AND PROJECT REHABILITATION

10. Section 235.535(b) is revised to read as follows:

§ 235.535 Maximum mortgage amounts.

(b) *Reduced mortgage amount—leaseholds.* In the event the mortgage is secured by a leasehold estate rather than a fee simple estate, the value or replacement cost of the property described in the mortgage shall be the value or replacement cost of the leasehold estate (as determined by the Commissioner) which shall in all cases be less than the value or replacement cost of the property in fee simple.

PART 242—MORTGAGE INSURANCE FOR HOSPITALS

11. Section 242.29(b) is revised to read as follows:

§ 242.29 Adjustments and reduced mortgage amounts.

(b) *Reduced mortgage amount—leaseholds.* In the event the mortgage is secured by a leasehold estate rather than a fee simple estate, the value or replacement cost of the property described in the mortgage shall be the value or replacement cost of the leasehold estate (as determined by the Commissioner) which shall in all cases be less than the value or replacement cost of the property in fee simple.

PART 244—MORTGAGE INSURANCE FOR GROUP PRACTICE FACILITIES [TITLE XI]

12. Section 244.37 is amended to read as follows:

§ 244.37 Reduced mortgage amount—leaseholds.

In the event the mortgage is secured by a leasehold estate rather than a fee simple estate, the value or replacement cost of the property described in the mortgage shall be the value or replacement cost of the leasehold estate (as determined by the Commissioner) which shall in all cases be less than the value or replacement cost of the property in fee simple.

(Section 7(d), Department of Housing and Urban Development Act (42 U.S.C. 3535(d)))

Effective date. These amendments will be effective as of August 22, 1975.

DAVID M. DEWILDE,
Acting Assistant Secretary for Housing Production and Mortgage Credit—Federal Housing Commissioner.

[FR Doc.75-22233 Filed 8-21-75;8:45 am]

Title 33—Navigation and Navigable Waters

CHAPTER II—CORPS OF ENGINEERS, DEPARTMENT OF THE ARMY

PART 220—DESIGN CRITERIA FOR DAM AND LAKE PROJECTS

Low Level Discharge Facilities for Drawdown of Impoundments; Correction

In FR Doc 75-12022 appearing at page 20081 in the FEDERAL REGISTER of Thursday, May 8, 1975, the first sentence of paragraph (d) of § 220.1 is corrected to read as follows:

§ 220.1 Low level discharge facilities for drawdown of impoundments.

(d) Design Criteria. As a minimum, low level discharge facilities will be sized to reduce the pool, within a period of four months, to the higher of the following pool levels: (1) A pool level that is within 20 feet of the pre-project "full channel" elevation, or (2) a pool level which will result in an amount of storage in the reservoir that is 10 percent of that at the beginning pool level.

Dated: August 13, 1975.

RUSSELL J. LAMP,
Colonel, Corps of Engineers, Executive.

[FR Doc.75-22157 Filed 8-21-75;8:45 am]

Title 42—Public Health

CHAPTER I—PUBLIC HEALTH SERVICE, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

SUBCHAPTER C—MEDICAL CARE AND EXAMINATIONS

PART 32—MEDICAL CARE FOR SEAMEN AND CERTAIN OTHER PERSONS

Confirmation of Diagnosis; Correction Notice

In FR Doc. 75-16034 published in the FEDERAL REGISTER, Vol. 40, No. 119, on Thursday, June 19, 1975, the following correction should be made:

1. On page 25818, § 32.87 "Confirmation of diagnosis" line five of said paragraph the word "disapprove" should read "disprove."

Dated: August 18, 1975.

THOMAS S. MCFEE,
Deputy Assistant Secretary for Management Planning and Technology.

[FR Doc.75-22251 Filed 8-21-75;8:45 am]

Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 20315; RM-2227, 2415; FCC 75-970]

PART 73—RADIO BROADCAST SERVICES

FM Broadcast Stations Table of Assignments, III.

In the matter of amendment of § 73.202 (b), table of assignments, FM broadcast stations (Aledo, Galesburg and Morton, Illinois).

1. In response to petitions filed by Arthur M. Padella, Sr. ("Padella") (RM-2227) and Morton-Washington Broadcasting Company ("Morton-Washington") (RM-2415), the Commission adopted a *Notice of Proposed Rule Making* (40 FR 2710) which proposed to reassign Channel 272A from Galesburg, Illinois, to both Aledo and Morton, Illinois, and to replace Channel 272A at Galesburg with Channel 224A.

2. Timely comments were received from Padella (proponent of the Aledo assignment) and Morton-Washington (proponent of the Morton assignment). In addition, Paul T. Ford Broadcasting and Associates ("Ford") filed, urging retention of Channel 272A at Galesburg or, in the alternative, substituting Channel 224A there. Media Communications, Inc. ("Medcom") late-filed a comment which contained a counterproposal to the *Notice's* proposed assignment for Aledo which would involve the replacement of an FM channel at Geneseo, Illinois, for which there is a construction permit outstanding, in order to provide Mount Pleasant, Iowa (population 7,007) with a third aural (second FM) service.¹ However, Paragraph 21 of the *Notice* in this proceeding clearly advised all parties that late-filed counterproposals would not be given consideration. We have been offered no valid basis for diverging from this policy which is designed to aid in the efficient resolution of proceedings by avoiding unnecessary delay and confusion. Medcom's comment and counterproposal shall be dismissed but this is without prejudice to their being resubmitted in a separate proceeding.²

¹ Medcom proposed assignment of Channel 272A to Mount Pleasant which would be achieved by assigning Channel 285A instead of Channel 272A to Aledo and substituting Channel 272A for Channel 285A at Geneseo.

² The counterproposal also suffers from the defects of not being signed and not presenting a showing as to Mount Pleasant's need for a second FM assignment.

3. Aledo, Illinois (population 3,325) is the governmental seat of Mercer County (population 17,294).³ It has neither an FM assignment nor an AM station. The filings of Mr. Padella indicate that Aledo is a growing community and that it is important to the surrounding agricultural area from a political, social and economic view. It appears to provide the surrounding area with a variety of services including hospital care, banking, library facilities, and recreational facilities.

4. Tazewell County, Illinois (population 118,649 contains the community of Morton (population 10,419). There is neither an FM assignment nor an AM station at Morton. Morton is located approximately 10 miles southeast of Peoria, Illinois, and within that city's Urbanized Area, but it is not in the same county. The population of Peoria is 126,963, and its county's population (Peoria) is 195,318. The city has three unlimited and 1 daytime-only AM stations. It also has three Class B commercial FM assignments, all of which are occupied.⁴ Peoria also has one noncommercial educational FM service. Morton is a fast-growing community whose population virtually doubled between 1960 and 1970. A community of this size clearly warrants its own local service.

5. Morton is approximately 80 miles distant from Aledo and Channel 272A can easily be assigned to both communities if deleted from Galesburg, as the required separation between two such Class A assignments is 65 miles. Doing so would necessitate a change in the current Galesburg assignment. That community has two AM stations, WAAG and WAIK (a daytime-only operation). There are also two commercial FM assignments at Galesburg, 235 and 272A. Class B Channel 235, is occupied but Channel 272A is neither occupied nor applied for at this time. However, Ford has expressed its intention to apply for Channel 272A or its substitute (Channel 224A), promptly on the termination of this proceeding. On this basis, we see no reason not to continue to provide a second FM assignment there.

6. The only major point of contention raised by Ford is over the restriction on transmitter site involved in use of Channel 224A. Other points were mentioned, but either they were matters of personal convenience or they related to the need for maintaining a second Galesburg assignment. The only meaningful difference between FM Channels 224A and 272A is that a transmitter site for Channel 224A would have to be located approximately 4.5 miles northeast of the community in order to meet our spacing requirements to Channel 225 at Hannibal, Missouri. No evidence has been offered by Ford which demonstrates that

a suitable transmitter site for Channel 224A would not be available. The requirement that the transmitter be located at such a distance from the heart of the community of assignment is not unusual and has no apparent public interest implications in this case, as at that distance the station could still be expected to provide the requisite city coverage.

7. An examination of the information provided us in this proceeding indicates that both Aledo and Morton are significant communities with their own social and economic structures and that each can clearly justify a first local aural broadcast service. As we view the matter, by reassigning Channel 272A to both Aledo and Morton and providing a substitute for it at Galesburg, we are advancing the mandate of Section 307(b) of the Communications Act of 1934, as amended, by providing three FM assignments where only one exists at present. This is especially true, since our engineering examination of the proposals indicates that the reassignment of Channel 272A to Aledo and Morton will preclude future assignment only on Channel 272A in a limited area between the two communities and that at Galesburg, preclusion would occur only on the replacement channel, 224A. Accordingly, we shall make the assignments as proposed.

8. Authority for the actions taken herein is contained in Sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended.

9. Accordingly, it is ordered, That effective September 29, 1975, the FM Table of Assignments, § 73.202(b) of the Commission's Rules is amended, insofar as the cities listed below are concerned, to read as follows:

City	Channel No.
Aledo, Illinois.....	272A.
Galesburg, Illinois.....	224A, 235.
Morton, Illinois.....	272A.

10. It is further ordered, That the filing of Media Communications, Inc. is dismissed without prejudice to its subsequent resubmission as set forth above.

11. It is further ordered, That this proceeding is terminated.

(Secs. 4, 303, 307, 48 Stat., as amended, 1036, 1082, 1083; 47 U.S.C. 154, 303, 307)

Adopted: August 14, 1975.

Released: August 20, 1975.

FEDERAL COMMUNICATIONS COMMISSION,¹

[SEAL] VINCENT J. MULLINS, Secretary.

[FR Doc.75-22223 Filed 8-21-75;8:45 am]

[Docket No. 20359; RM-2334; FCC 75-966]

PART 73—RADIO BROADCAST SERVICES
FM Broadcast Stations Table of Assignments, Idaho

In the matter of amendment of § 73.202(b), table of assignments, FM broadcast stations (Jerome, Idaho).

¹ Commissioners Willey, chairman; Lee and Washburn acting as a Board.

1. In response to a petition filed by KART Broadcasting Co., Inc. ("KART"), licensee of FM Station KFMA (which operates on FM Channel 224A at Jerome, Idaho), the Commission adopted a Notice of Proposed Rule Making released on February 20, 1975 (40 FR 7946) in the above-entitled matter which proposed to replace FM Channel 224A at Jerome, Idaho with FM Channel 275 and to modify the license of KART for KFMA to specify operation on Channel 275 in place of Channel 224A. Interested parties were afforded an opportunity to comment on or before April 11, 1975, and to reply to such comments on or before April 30, 1975. A brief supporting engineering amendment was filed by petitioner. No oppositions were received.

2. Jerome County, Idaho (population 10,252)¹ contains as its seat the community of Jerome (population 4,183). The only AM station licensed in the community is KART, a Class IV service. Station KFMA operates on the only FM assignment at Jerome. Both are licensed to petitioner.

3. The pleadings indicate that Jerome is located in south central Idaho in an area that appears to have a low level of population density and which is widely separated from any city, except for Twin Falls, Idaho, 12 miles distant.² Petitioner states that it pioneered FM radio in the area by commencing broadcasting with KFMA on Channel 224A in August of 1970, with 3 kW effective radiated power. It maintains that its experience indicates that it is necessary for it to improve the technical facilities of KFMA to 100 kW effective radiated power with a tower to be located on nearby Flat Top Butte. In order for it to do so it must shift its FM facilities from a Class A channel to a Class C channel. This would enable it to reach various communities in its area, for example, Gooding, Shoshone or Buhl. KART also asserts that KFMA cannot derive advertising revenue from significant portions of Jerome's entire trading area unless it has facilities adequate for coverage. Moreover, it asserts that its Class A operation is being faced by competition from the newly developing Class C FM stations at Twin Falls, and it is concerned that such services from Twin Falls will clearly encompass the Jerome trading area with their signals. In sum, petitioner feels that it must have a Class C facility to compete. Also, petitioner states that operating on a Class

¹ All population figures cited are from the 1970 U.S. Census.

² Twin Falls, Idaho is located in Twin Falls County. Their respective populations are 20,914 and 41,807. The city of Twin Falls has two unlimited-time AM stations, KEEP and KLIX. The former is licensed to Inland Radio, Inc. while the latter is licensed to Sawtooth Radio Corporation. The one daytime-only AM station in the community, KTFI, is licensed to Greentree Broadcasting, Co. FM Channels 239 and 243 are assigned to Twin Falls. Channel 239 has two applications pending for its use—BPH-8781 (Inland Radio Inc.) and BPH-8989 (Sawtooth Radio Corporation). Channel 243 is licensed to Media 5, Inc. as KMTW.

³ All population figures cited are from the 1970 U.S. Census unless otherwise specified.

⁴ Although we would be concerned if there were an attempt to utilize the assignment we are now making as a standard Peoria operation, the facts now before us do not indicate any intent to so use the channel.

RULES AND REGULATIONS

C channel with 100 kW effective radiated power and antenna height of 675 feet above average terrain it would provide a first FM service to 1,252 persons in an area of 1,210 square miles and a second FM service to 951 persons in an area of 1,030 square miles.

4. Our engineering analysis indicates that Channel 275 can be assigned to Jerome as a replacement for Channel 224A without disturbing any existing assignments. However, the preclusion study submitted by petitioner demonstrates that both co-channel and adjacent channel preclusion would. All six adjacent channels are affected by the proposed assignment. Although petitioner's proposal would cause significant preclusion, in terms of affected land area, on each of the seven channels concerned, this occurs solely because there are few existing assignments to lessen the proposal's impact. KART's engineering statement notes that there are a substantial number of FM channels readily available for assignment in the precluded area. Our staff analysis indicates this is accurate.

5. We have carefully considered each of the arguments tendered by petitioner regarding the need for the change as well as the apparently low density of population in the area under discussion and the availability of frequencies in the area under discussion. Even though we normally assign only Class A channels to small communities³ we believe that

³ There are exceptions, e.g., see *Lyons, Kansas*, Docket No. 19735, 38 Fed. Reg. 21169, 42 F.C.C. 2d 215 (1973).

in the narrow circumstances presented above it is in the public interest to replace Channel 224A at Jerome, Idaho with Channel 275 and to modify the license of KART Broadcasting Co., Inc. for KFMA to specify operation on Channel 275 in place of Channel 224A.⁴ In doing so, however, we underscore the fact that although petitioner will have the responsibility of serving its entire new service area, KFMA remains a Jerome assignment and has therefore a first responsibility to meet the needs of that community.

6. Authority for the action taken herein is contained in Sections 4(i), 303, 307(b) and 316 of the Communications Act of 1934, as amended.

7. In view of the foregoing facts and public interest finding, *it is ordered*, That effective September 29, 1975, the FM Table of Assignments, Section 73.202(b) of the Commission's Rules, is amended, insofar as the city listed below is concerned, to read as follows:

City	Channel No.
Jerome, Idaho-----	275.

8. *It is further ordered*, That effective September 29, 1975, the license held by KART Broadcasting Co., Inc. for Station KFMA, Jerome, Idaho, is modified to specify operation on Channel 275 in lieu of Channel 224A subject to the following conditions.

⁴ Although no *Show Cause Order* was adopted in this proceeding, none was needed as petitioner sought the modification itself.

(a) The licensee shall inform the Commission in writing by no later than September 29, 1975, of its acceptance of this modification.

(b) The licensee may continue to operate on Channel 224A under its outstanding authorization until it is ready to operate on the new frequency.

(c) The licensee shall submit to the Commission by October 20, 1975, all necessary information complying with the applicable technical rules for modification of authorization to cover the operation of Station KFMA on Channel 275 at Jerome, Idaho.

(d) Ten days prior to commencing operation on Channel 275, the licensee shall submit the same measurement data normally required in an application for an FM broadcast station license.

(e) The licensee shall not commence operation on Channel 275 until the Commission specifically authorizes it to do so.

9. *It is further ordered*, That this proceeding (Docket 20359, RM-2334) is terminated.

(Secs. 4, 5, 303, 307, 48 Stat., as amended, 1066, 1068, 1082, 1083; 47 U.S.C. 154, 155, 303, 307)

Adopted: August 14, 1975.

Released: August 20, 1975.

FEDERAL COMMUNICATIONS
COMMISSION,¹
VINCENT J. MULLINS,
Secretary.

[FR Doc.75-22224 Filed 8-21-75;8:45 am]

¹ Commissioners Wiley, Chairman; Lee, and Washburn acting as a Board.

proposed rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 75-GL-57]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations so as to alter the transition area at Madison, Wisconsin.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Great Lakes Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 2300 East Devon, Des Plaines, Illinois 60018. All communications received on or before September 22, 1975, will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, 2300 East Devon, Des Plaines, Illinois 60018.

A new instrument approach procedure has been developed for the Morey Airport in Madison, Wisconsin. Additional controlled airspace is required to protect the procedure.

In consideration of the foregoing, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth:

In § 71.181 (40 FR 441), the following transition area is amended to read:

MADISON, WISCONSIN

That airspace extending upward from 700 feet above the surface within an 11 mile radius of the Truax Airport (latitude 43° 08' 15" N., longitude 89° 20' 10" W.); within 3 miles each side of the 181° bearing from the airport extending from the 11 mile radius area to 16 miles south of the airport; within 3 miles each side of the 315° bearing from the airport extending from the 11 mile radius area to 15.5 miles NW of the airport; within

3 miles each side of the 001° bearing from the airport extending from the 11 mile radius area to 17 miles N of the airport; within 3.5 miles each side of the 135° bearing from the airport extending from the 11 mile radius area to 17.5 miles SE of the airport; and within a 7 mile radius of the Morey Airport (latitude 43° 07' 00" N., longitude 89° 32' 00" W.); within 3 miles each side of the 305° bearing from the airport extending from the 7 mile radius area to 8 miles NW of the airport.

This amendment is proposed under the authority of Section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348), and of Section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Des Plaines, Illinois, on August 8, 1975.

R. O. ZIEGLER,
Acting Director,
Great Lakes Region.

[FR Doc.75-22164 Filed 8-21-75; 8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 75-WE-19]

VOR FEDERAL AIRWAY V-111

Proposed Extension

The Federal Aviation Administration (FAA) is considering an amendment to Part 71 of the Federal Aviation Regulations that would extend V-111 from Salinas, Calif., to the INT of the Salinas 028°T (011°M) and the Stockton, Calif., 164°T (147°M) radials.

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 1500 Aviation Boulevard, P.O. Box 92007, Worldway Postal Center, Los Angeles, Calif. 90009. All communications received on or before September 22, 1975, will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue, S.W., Washington, D.C. 20591. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The proposed amendment would extend V-111 via the 028°T(011°M) radial of the Salinas VOR to its intersection

with the V-23W/V-109/V-113 airway, south of Stockton, Calif.¹

This action would provide an additional route to bypass the high density traffic in the San Francisco Bay area and establish airway routing between Salinas and Stockton.

This amendment is proposed under the authority of Sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)) and Sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on August 18, 1975.

WILLIAM E. BROADWATER,
Acting Chief, Airspace and
Air Traffic Rules Division.

[FR Doc.75-22165 Filed 8-21-75; 8:45 am]

Federal Highway Administration

[49 CFR Part 393]

[Docket No. MC-65; Notice 75-10]

TIRE CHAINS

Advance Notice of Proposed Exemption

• **Purpose.** The purpose of this document is to seek public comment on a petition seeking revocation of a Federal Motor Carrier Safety Regulation requiring tire chains to be carried on all power units during specified times. •

The Director of the Bureau of Motor Carrier Safety is in receipt of a petition from the United Bus Owners of America seeking revocation of § 393.95(d) of the Federal Motor Carrier Safety Regulations which deals with emergency equipment on all power units.

Paragraph (d), which is sought to be revoked, requires "every bus, truck, truck tractor, and every driven vehicle in drive-away-towaway operation" to carry "one set of tire chains for at least one driving wheel on each side during the time when likely to encounter conditions requiring them . . ."

The petitioner contends that § 393.95 (d) should be revoked for the following reasons:

1. The regulation is unrealistic because (a) it does not require that the chains be used, but merely that the chains be available on the vehicle, and (b) it punishes for failure to possess, rather than failure to utilize.

2. The regulation is absolute in that it offers neither an exemption nor exception and makes no allowance for substitute measures that could be shown to be acceptable.

¹ Map filed as part of the original document.

PROPOSED RULES

3. The regulation is assumptive and impracticable because it assumes possession of tire chains will ensure their use. The petitioner contends that a responsible operator will not dispatch an expensive piece of equipment without first installing tire chains, or having them attached upon arrival at an intermediate point, if they are warranted by inclement weather.

4. The regulation is wasteful by requiring the operators to buy more chains than may be predictably needed to cope with actual weather problems. This action, the petitioner alleges, contributes to inflationary pressures and the waste of natural resources.

The Director has considered the allegations made by the United Bus Owners of America in their petition for revocation of § 393.95(d) and has concluded that additional input by interested parties is warranted.

The Director has also concluded that it is incumbent upon him to publicly address some of the allegations made by the petitioner in an effort to better inform all parties interested in this proceeding.

The Federal Motor Carrier Safety Regulations do require certain motor vehicles to carry tire chains during the time a vehicle is likely to encounter conditions requiring them. Furthermore, § 392.8 requires their use when and as needed.

The regulation requiring tire chains is absolute, as the petitioner alleges, and does not make allowances for substitute measures. This decision was substantiated, in part, by the findings of the winter tests conducted by the Committee on Winter Driving Hazards of the National Safety Council. The Committee's findings conclusively prove there is no alternate or substitute means available that will ensure traction capabilities equal to those realized when tire chains are used under certain winter conditions.

Analysis of the Motor Carrier Accident Reports, submitted to the Bureau by motor carriers, indicates that a number of commercial motor vehicles have been dispatched in recent winters without being equipped with tire chains or having them installed enroute, and those vehicles, not so equipped, were involved in vehicular accidents on snow-covered or icy highways.

The Director cannot agree that the rule is wasteful merely because it requires motor vehicle operators to buy more chains than actually needed. Section 393.95(d) does not require an operator to buy chains or place them on his equipment except when the equipment is operating "during the time when likely to encounter conditions requiring them . . ."

The Director is contemplating a revision of § 393.95(d) wherein motor carriers, as an alternative, could be exempted from carrying and using tire chains as emergency equipment if the motor carrier will authorize each driver operating a motor vehicle in its service to unilaterally decide when weather conditions are such to make the operation of this vehicle unsafe and to take the vehicle out of service until weather conditions are such to ensure safe operation on the public highways.

Interested persons are invited to submit written data, views, or arguments pertaining to the proposed revision of § 393.95(d). All comments submitted should refer to the docket number and notice number that appear at the top of this document. Comments should be submitted in three copies to the Director, Bureau of Motor Carrier Safety, Washington, D.C. 20590. All comments received before the close of business on November 7, 1975, will be considered before further action is taken on the proposal. Comments will be available for examination by the public in the Docket Room of the Bureau of Motor Carrier Safety, Room 3401, 400 Seventh Street, SW, Washington, D.C., both before and after the closing date for comments.

This Advance Notice of Proposed Rule Making is issued under the authority of section 204 of the Interstate Commerce Act, as amended, (49 U.S.C. 304), section 6 of the Department of Transportation Act, (49 U.S.C. 1655), and the delegations of authority by the Secretary of Transportation and the Federal Highway Administrator at 49 CFR 1.48 and 389.4, respectively.

Issued on August 7, 1975.

ROBERT A. KAYE,
Director, Bureau of
Motor Carrier Safety.

[FR Doc.75-22264 Filed 8-21-75;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 2, 89]

[Docket No. 20509]

STATIONS IN THE LOCAL GOVERNMENT RADIO SERVICE

Order Extending Time for Filing Comments and Reply Comments

In the matter of amendment of Parts 2 and 89 of the rules to provide for the use of frequencies 530, 1606, and 1612 kHz by stations in the Local Government Radio Service for the transmission of certain kinds of information to the traveling public.

1. On June 12, 1975, the Commission released a Notice of Proposed Rule Making in the above captioned matter. Comments were invited on or before August 18, 1975, with reply comments due on or before September 5, 1975. Motions or petitions for extension of time for filing comments were filed by Halstead Communications, Inc. (Halstead), the National Association of Broadcasters (NAB) and the United States Department of Transportation (DOT). An amendment to their original motion was filed by Halstead.

2. The motion filed by Halstead stated that they believed the Commission needs more information regarding coaxial cable systems of several miles in length before making a final determination in this proceeding. Halstead indicated that an experimental test which would help gain this information was being prepared in cooperation with the Federal Highway Administration, United States Department

of Transportation. Halstead has since amended its original request from a 90 day extension to a 60 day extension. DOT also requested an extension of the comment date to October 17, 1975, (60 days) for the same reason as Halstead indicated in their motion. The NAB requested that the comment date be extended to September 17, 1975, due to the vacation schedule and also due to the large number of other filings which the NAB is concurrently working on.

3. Since it does appear that the Commission could gain useful information from the experiment, it appears to be in the public interest to grant an extension. An extension of comment and reply comment dates to October 17 and November 18, 1975 will allow for the completion of the experiment as well as satisfy NAB's request for an extension. Therefore, the Commission is extending the time to the above dates.

4. Accordingly, *it is ordered*, pursuant to § 0.251(b) of the Commission's Rules and Regulations, that the date for filing comments is extended from August 18 to October 17, 1975, and the date for filing reply comments is extended from September 5 to November 18, 1975.

Adopted: August 15, 1975.

Released: August 18, 1975.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] ASHTON HARDY,
General Counsel.

[FR Doc.75-22226 Filed 8-21-75;8:45 am]

FEDERAL MARITIME COMMISSION

[46 CFR Part 536]

[General Order 13; Docket No. 75-28]

SUBMISSION OF REVENUE AND COST DATA, CONCERNING GENERAL RATE INCREASES AND CERTAIN SUB- CHARGES FILED BY COMMON SUB- CARRIERS, CONFERENCES, AND MEMBER CARRIERS OF RATE AGREEMENTS

Extension of Time To File Comments

Notice of proposed rulemaking in this proceeding was published August 11, 1975 (40 F.R. 33688). Comments of interested parties were to be submitted on or before September 5, 1975. Counsel for various interested parties have requested enlargement of time to file comments in response to the notice. While a liberal extension of time appears proper under the circumstances, an extension for the full period requested (December 24, 1975) is completely unwarranted. Accordingly, time within which comments may be filed in response to the notice of proposed rulemaking in this proceeding is enlarged to and including November 5, 1975. Hearing Counsel's replies shall be filed on or before November 26, 1975. Answers to Hearing Counsel shall be filed on or before December 10, 1975.

By the Commission.

[SEAL] JOSEPH C. POLKING,
Assistant Secretary.

[FR Doc.75-22268 Filed 8-21-75;8:45 am]

**INTERSTATE COMMERCE
COMMISSION**

[49 CFR Parts 1245, 1246]
**WAGE STATISTICS REPORTS
Inquiry on Revisions**

August 15, 1975.

The Bureau of Accounts of the Interstate Commerce Commission is considering revision of the wage statistics reports for Class I railroads. The reports are entitled "Monthly Report of Employees, Service and Compensation" and "Preliminary Report of Number of Employees".

Specifically, the revisions will deal with Title 49 of the Code of Federal Regulations Part 1245, "Classification of Railroad Employees; Reports of Service and Compensation", and Part 1246, "Number of Railroad Employees".

The purpose of the revisions would be to simplify and improve the wage statistics derived from the monthly reports submitted by the Class I railroads.

Interested persons are invited to participate by submitting written data, views or suggestions for improving the reports. Communications should be identified by the symbol ACR-1, and be sub-

mitted in duplicate to: John A. Grady, Director, Bureau of Accounts, Interstate Commerce Commission, 12th Street and Constitution Avenue, Room 6133, Washington, D.C. 20423. All communications received on or before September 30, 1975, will be considered before taking action on revisions. All comments submitted will be available, both before and after the closing date, for review in the Bureau of Accounts by interested persons.

[SEAL]

JOHN A. GRADY,
Director, Bureau of Accounts.

[FR Doc.75-22292 Filed 8-21-75;8:45 am]

notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF STATE

Office of the Secretary

[CM-5/85]

ADVISORY COMMITTEE ON PRIVATE INTERNATIONAL LAW

Meeting

A meeting of the Study Group on Maritime Bills of Lading, a subgroup of the Secretary of State's Advisory Committee on Private International Law, will be held at 10:00 a.m. on Friday, September 12, 1975, in room 5519 of the Department of State. Members of the general public may attend and participate in the discussion subject to instructions of the Chairman.

The purpose of the meeting will be to review a report on the eighth session of the Working Group on International Legislation on Shipping of the United Nations Commission on International Trade Law and to consider comments to be made on the text of a draft convention on the carriage of goods by sea adopted by the Working Group.

Members of the general public who desire to attend the meeting will be admitted up to the limits of the capacity of the meeting room. Entrance to the Department of State building is controlled and entry will be facilitated if arrangements are made in advance of the meeting. It is requested that prior to September 12, 1975, members of the general public who plan to attend the meeting inform their name and affiliation and address to Mr. Robert E. Dalton, Office of the Legal Adviser, Department of State; the telephone number is area code 202-632-2107.

Dated: August 19, 1975.

ROBERT E. DALTON,
Executive Director.

[FR Doc.75-22294 Filed 8-21-75; 8:45 am]

[CM-5/86]

ADVISORY COMMITTEE ON PRIVATE INTERNATIONAL LAW

Meeting

A meeting of the Study Group on Recognition and Enforcement of Foreign Judgments, a subgroup of the Secretary of State's Advisory Committee on Private International Law, will take place on Saturday, September 13, 1975, in the Wheeler Room, Holmes Hall, Harvard Law School, Cambridge, Massachusetts. The meeting, which will begin at 10:00 a.m., will be for the purpose of considering issues that have arisen in connection with negotiation of a bilateral con-

vention on recognition and enforcement of foreign judgments.

Members of the general public may attend up to the limits of the capacity of the meeting room and participate in the discussion subject to instructions of the Chairman.

Dated: August 19, 1975.

ROBERT E. DALTON,
Executive Director.

[FR Doc.75-22295 Filed 8-21-75; 8:45 am]

[CM-5/87]

ADVISORY COMMITTEE ON PRIVATE INTERNATIONAL LAW

Meeting

A meeting of the Secretary of State's Advisory Committee on Private International Law will be held at 10:00 a.m. on Friday, September 19, 1975, in room 5519 of the Department of State. Members of the general public may attend and participate in the discussion subject to instructions of the Chairman.

The purpose of the meeting will be to discuss matters relating to international aspects of bankruptcy, recognition and enforcement of foreign judgments, conflict of laws in respect of marriage, maritime bills of lading, and several conventions dealing with civil procedure.

Members of the general public who desire to attend the meeting will be admitted up to the limits of the capacity of the meeting room. Entrance to the Department of State building is controlled and entry will be facilitated if arrangements are made in advance of the meeting. It is requested that prior to September 19, 1975, members of the general public who plan to attend the meeting inform their name and affiliation and address to Mr. Robert E. Dalton, Office of the Legal Adviser, Department of State; the telephone number is area code 202, 632-2107. All non-government attendees at the meeting should use the C Street entrance.

Dated: August 19, 1975.

ROBERT E. DALTON,
Executive Director.

[FR Doc.75-22296 Filed 8-21-75; 8:45 am]

DEPARTMENT OF JUSTICE

Attorney General

ACTION TO ENJOIN EMISSION OF AIR POLLUTANTS

Notice of Proposed Consent Decree

In accordance with Departmental Policy, 28 CFR 50.7, 38 FR 19029, notice

is hereby given that on August 22, 1975, a proposed consent decree in *United States v. United States Steel Corporation* was lodged with the United States District Court for the Northern District of Illinois. The proposed decree would require U.S. Steel to terminate by July 1, 1977, all discharges of pollutants from its Waukegan Works into Lake Michigan.

The Department of Justice will receive until September 22, 1975, written comments relating to the proposed judgment. Comments should be addressed to the Assistant Attorney General, Land and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and refer to *United States v. United States Steel Corporation*, D.J. Ref. 90-5-1-1-312.

The proposed consent decree may be examined at the office of the United States Attorney, Federal Building, 219 S. Dearborn Street, Chicago, Illinois 60604, at the Region V Office of the Environmental Protection Agency, Enforcement Division, 230 S. Dearborn Street, Chicago, Illinois 60606, and at the Pollution Control Section, Land and Natural Resources Division of the Department of Justice, Room 2623, Department of Justice Building, Ninth Street and Pennsylvania Avenue, Northwest, Washington, D.C. 20530. A copy of the proposed consent judgment may be obtained in person or by mail from the Pollution Control Section, Land and Natural Resources Division of the Department of Justice. In requesting a copy, please enclose a check in the amount of \$1.50 (10 cents per page reproduction charge) payable to the Treasurer of the United States.

WALLACE H. JOHNSON,
*Assistant Attorney General,
Land and Natural Resources
Division.*

[FR Doc.75-22167 Filed 8-21-75; 8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

OUTER CONTINENTAL SHELF OFFICIAL PROTRACTION DIAGRAMS

Notice of Availability

Notice is hereby given that, effective with this publication, the following OCS Official Protraction Diagrams are available, for information only, from the appropriate OCS field offices. In accordance with Title 43, Code of Federal Regulations, these protraction diagrams are the basic record for the description of mineral and oil and gas lease offers in the geographic areas they represent.

The following OCS Official Protraction Diagrams may be purchased for \$2.00 per

sheet from the Manager, Alaska OCS Office, Bureau of Land Management, P.O. Box 1159, Anchorage, Alaska 99510. The street address is 800 "A" Street, Anchorage, Alaska.

1. NO 5-5 (Karluk).
2. NO 5-8.
3. NO 6-5.
4. NO 6-7.
5. NO 6-8.
6. NO 7-5.
7. NR 5-4 (Harrison Bay).
8. NR 6-3 (Beechey Point).
9. NR 6-4 (Flaxman Island).

The following OCS Official Protraction Diagrams may be purchased for \$2.00 per sheet from the Manager, Gulf of Mexico OCS Office, Bureau of Land Management, The Plaza Tower, Suite 3200, 1001 Howard Avenue, New Orleans, Louisiana 70113.

1. NI 17-9 (Georgetown).
2. NI 17-11 (Savannah).
3. NI 17-12 (James Island).
4. NH 17-2 (Brunswick).
5. NH 17-3.
6. NH 17-5 (Jacksonville).
7. NH 17-6.
8. NH 17-8 (Daytona Beach).
9. NH 17-11 (Orlando).

Checks or money orders should be made payable to the Bureau of Land Management.

GEORGE L. TURCOTT,
Associate Director,
Bureau of Land Management.

AUGUST 18, 1975.

[FR Doc.75-22174 Filed 8-21-75; 8:45 am]

**Geological Survey
AERIAL AND SPACE PHOTOGRAPHIC
MATERIALS
Fee Schedule**

Pursuant to authority contained in the Act of July 21, 1947, (61 Stat. 398) the following schedule of fees was approved by the Secretary of the Interior effective August 1, 1975:

AIRCRAFT PHOTOGRAPHY

Image size	Format	Black and white unit price	Color unit price
2.2 in.	Film positive	\$3.00	\$6.00
2.2 in.	Film negative	4.00	N.A.
4.5 in.	Film positive	4.00	7.00
4.5 in.	Film negative	5.00	N.A.
4.5 in.	Paper	3.00	7.00
9.0 in.	Film positive	5.00	12.00
9.0 in.	Film negative	6.00	N.A.
9.0 in.	Paper	3.00	7.00
9 by 18 in.	Film positive	10.00	24.00
9 by 18 in.	Film negative	12.00	N.A.
9 by 18 in.	Paper	6.00	14.00
18 in.	do.	8.00	20.00
27 in.	do.	9.00	25.00
36 in.	do.	15.00	40.00
Kalish and ER-55 plates.	Glass	12.00	N.A.
Transformed prints.	Paper	8.00	N.A.
Photo indexes.	do.	5.00	N.A.

LANDSAT (ERTS) DATA

Image size	Scale	Format	Black and white unit price	Color unit price
2.2 in.	1:3369000	Film positive	\$3.00	N.A.
2.2 in.	1:3369000	Film negative	4.00	N.A.
7.3 in.	1:1000000	Film positive	5.00	\$12.00
7.3 in.	1:1000000	Film negative	6.00	N.A.
7.3 in.	1:1000000	Paper	3.00	7.00
14.6 in.	1:500000	Paper	8.00	20.00
29.2 in.	1:250000	Paper	15.00	40.00

COLOR COMPOSITE GENERATION¹ (WHEN NOT ALREADY AVAILABLE)

Image size	Scale	Format	Unit price
7.3 in.	1:1000000	Printing master ²	\$50.00

¹ Color composites are portrayed in false color (infrared) and not true color.
² Cost of product from this composite must be added to total cost.

COMPUTER COMPATIBLE TAPES

Tracks	b.p.i.	Format	Set price
7	800	Tape set	\$200.00
9	800	Tape set	200.00
9	1600	Tape set	200.00

NASA ERTS CATALOGS

Title	Cost per volume (each)
U.S. Standard catalog—Monthly	\$1.25
Non-U.S. Standard catalog—Monthly	1.25
Cumulative U.S. standard catalog—1972/73	1.25
Volume 1—Observation ID listing.	
Volume 2—Coordinate listing.	
Cumulative non-U.S. standard catalog—1972/73	1.25
Volume 1—Observation ID listing.	
Volume 2—Observation ID listing.	
Volume 3—Coordinate listing.	

SKYLAB PHOTOGRAPHY

Image size (inches)	Scale	Format	Black and white unit price	Color unit price
S-190A:				
2.2	1:2850000	Film positive	\$3.00	\$6.00
2.2	1:2850000	Film negative	4.00	N.A.
6.4	1:1000000	Paper	3.00	7.00
12.8	1:500000	do.	8.00	20.00
25.6	1:250000	do.	15.00	40.00
S-190B:				
4.5	1:950000	Film positive	4.00	7.00
4.5	1:950000	Film negative	5.00	N.A.
4.5	1:950000	Paper	3.00	7.00
8.6	1:500000	do.	3.00	7.00
17.2	1:250000	do.	8.00	20.00
34.4	1:100000	do.	15.00	40.00

MISCELLANEOUS

	Black and white roll price	Color roll price
Microfilm:		
16mm (100-ft roll)	\$15.00	\$40.00
35mm (100-ft roll)	20.00	45.00
35mm mounted slides:		
35mm original slide	N.A.	3.00
35mm mounted duplicate slide where available	1.00	1.00

NOTES

1. Roll to roll reproductions delivered in roll carry a 50 percent reduction in price.
2. Custom processing of nonstandard products (other than those listed) is available from the EROS Data Center for 3 times the price of the next larger standard product.
3. Guaranteed five-day turnaround is offered by the EROS Data Center for standard products at three times the normal price.

Above material may be ordered from:
U.S. Geological Survey, Mail Stop 507, National Cartographic Information Center, 12201 Sunrise Valley Drive, Reston, Virginia 22092.

or
U.S. Geological Survey, EROS Data Center, Sioux Falls, South Dakota 57198.

Dated: August 14, 1975.

W. A. RADLINSKI,
Acting Director.

[FR Doc.75-22041 Filed 8-21-75; 8:45 am]

**National Park Service
BLUE RIDGE PARKWAY,
VIRGINIA—NORTH CAROLINA
Recreation Fee Increase (Camping)**

Pursuant to the provisions of Section 4, Land and Water Conservation Fund Act of 1965 (86 Stat. 459, as amended, 16 U.S.C.A. 4601-6a (Supp. 1974)) and Part 18, Subtitle A of Title 43 of the Code of Federal Regulations, public notice is hereby given that on May 1, 1975, recreation use fees for camping on the Blue Ridge Parkway were increased to \$3 per site per night. The campgrounds affected by this change are: Otter Creek, Peaks of Otter, Roanoke Mountain and Rocky Knob in Virginia and Doughton Park, Julian Price, Linville Falls, Crabtree Meadows and Mt. Pisgah in North Carolina.

The increase in fees is in accordance with the criteria prescribed in 43 CFR, § 18.9, which considers direct and indirect cost, benefit to recipients, public policy or interest served, comparability of fees outside the park and the feasibility of collection.

GARY EVERHARDT,
Director, National Park Service.

[FR Doc.75-22166 Filed 8-21-75; 8:45 am]

DEPARTMENT OF AGRICULTURE**Forest Service
ROUTT NATIONAL FOREST GRAZING
ADVISORY BOARD****Notice of Meeting**

The Routt National Forest Grazing Advisory Board will meet September 11, 1975 at 9 a.m. at the Hunt Building (Forest Supervisor's Office) Steamboat Springs, Colorado.

The purpose of the meeting is to conduct a field trip for members of the Advisory Board and the public to view and discuss local range situations and the coordination of resource activities on the Routt National Forest.

The field meeting will be open to the public. Persons who wish to attend and participate should notify Ken Stithem, Forest Supervisor's Office (303 879-1722) prior to September 8, 1975 so that trip arrangements can be planned. Public members may participate in discussions during the meeting at any time or may file a written statement following the field meeting.

J. MERLE PRINCE,
Forest Supervisor.

AUGUST 15, 1975.

[FR Doc.75-22263 Filed 8-21-75;8:45 am]

Packers and Stockyards Administration

[P. & S. Docket No. 5157]

**ROBERTSDALE LIVESTOCK AUCTION,
INC.****Order Extending Period of Suspension of
Modifications of Rates and Charges**

On July 17, 1975, an order was issued instituting the following proceeding under Title III of the Packers and Stockyards Act, 1921, as amended, 42 Stat. 159, as amended, (7 U.S.C. 181 et seq.):

In re: Robertsdale Livestock Auction, Inc., Robertsdale, Alabama.

Such order, among other things, suspended and deferred the operation and use by the respondent of modifications of its current schedule of rates and charges to become effective July 18, 1975, for a period of thirty days beyond the time such modifications would otherwise go into effect.

Notice is hereby given that, since the hearing in this proceeding could not be concluded within such period of suspension, an order has been issued in the above proceeding suspending and deferring the operation and use of such modifications of the current schedule of rates and charges for a further period of thirty days beyond the date when such modifications would have otherwise become effective.

Done at Washington, D.C., August 15, 1975.

MARVIN L. McLAIN,
Administrator, Packers and
Stockyards Administration.

[FR Doc.75-22182 Filed 8-21-75;8:45 am]

**Rural Electrification Administration
ELMORE-COOSA TELEPHONE COMPANY,
INC., ECLECTIC, ALABAMA****Proposed Loan Guarantee**

Under the authority of Public Law 93-32 (87 Stat. 65) and in conformance with applicable agency policies and procedures as set forth in REA Bulletin 320-22, "Guarantee of Loans for Telephone Facilities," dated February 4, 1975, published in proposed form in the FEDERAL REGISTER, September 16, 1974, (Vol. 39 No. 180, pages 33228-33229) notice is hereby given that the Administrator of REA will consider providing a guarantee supported by the full faith and credit of the United States of America for a loan in the approximate amount of \$1,329,000 to Elmore-Coosa Telephone Company, Inc., Eclectic, Alabama. The loan funds will be used to finance the construction of facilities to extend telephone service to new subscribers, and improve telephone service for existing subscribers.

Legally organized lending agencies capable of making, holding and servicing the loan proposed to be guaranteed may obtain information and details of the proposed project from Mr. W. F. Thomas, President, Elmore-Coosa Telephone Company, Inc., Drawer F, Eclectic, Alabama 36024.

To assure consideration, proposals must be submitted on or before September 22, 1975, to Mr. Thomas. The right is reserved to give such consideration and make such evaluation or other disposition of all proposals received, as the Elmore-Coosa Telephone Company, Inc. and REA deem appropriate. Prospective lenders are advised that financing for this project is available from the Federal Financing Bank under a standing loan commitment agreement with the Rural Electrification Administration.

Copies of REA Bulletin 320-22 are available from the Director, Information Services Division, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250.

Dated at Washington, D.C., this 18th day of August 1975.

DAVID A. HAMIL,
Administrator, Rural
Electrification Administration.

[FR Doc.75-22183 Filed 8-21-75;8:45 am]

DEPARTMENT OF COMMERCE**Domestic and International Business
Administration****HARDWARE SUBCOMMITTEE OF THE
COMPUTER SYSTEMS TECHNICAL AD-
VISORY COMMITTEE****Notice of Partially Closed Meeting**

Pursuant to the provisions of the Federal Advisory Committee Act (5 U.S.C. App. I (Supp. III, 1973), and Office of Management and Budget Circular A-63 (Revised), Advisory Committee Management, effective May 1, 1974, notice was given (40FR34171) of a partially closed meeting of the Hardware Sub-

committee of the Computer Systems Technical Advisory Committee to be held in Room 5230, Main Commerce Building, 14th and Constitution Avenue, N.W., Washington, D.C. 20230. The day of the meeting will be incorrectly stated. The meeting will be held on Tuesday, September 16, 1975, and begin at 9:30 a.m.

Dated: August 19, 1975.

RAUER H. MEYER,
Office of Export Administra-
tion, Bureau of East-West
Trade.

[FR Doc.75-22200 Filed 8-21-75;8:45 am]

INDIAN HEAD SHOE CO.**Notice of Petition for a Determination**

A petition by Indian Head Shoe Company, Inc., of Manchester, New Hampshire, was accepted for filing on August 14, 1975, under Section 251 of the Trade Act of 1974 and in conformity with *Adjustment Assistance Certification Regulations for Firms*, 15 CFR, Part 350, 40 FR 14291 (April 3, 1975) (the "Regulations"). Consequently, the United States Department of Commerce has instituted an investigation to determine whether increased imports into the United States contributed importantly to total or partial separation of the firm's workers, or threat thereof, and to a decrease in sales or production of the petitioning firm. The petitioner asserts that imported articles classified in items 700.29, 700.35, 700.43, 700.45 and 734.91 of the Tariff Schedules of the United States ("TSUS") are like or directly competitive with athletic footwear produced by the firm.

Any party having a substantial interest in the subject matter of the proceedings (as described in § 350.40(b) of the Regulations) may request a public hearing on the matter. A request for a hearing conforming to § 350.40 of the Regulations must be received by the Director, Office of Trade Adjustment Assistance, Room 3011, Domestic and International Business Administration, U.S. Department of Commerce, Washington, D.C. 20230, no later than September 2, 1975.

(Catalog of Federal Domestic Assistance Program No. 11.108, Trade Adjustment Assistance)

HAROLD A. BRATT, Jr.,
Acting Director, Office of
Trade Adjustment Assistance.

[FR Doc.75-22273 Filed 8-21-75;8:45 am]

TEXAS SOUTHERN UNIVERSITY ET AL.**Applications for Duty-Free Entry of
Scientific Articles**

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897). Interested persons may present their

views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, on or before September 15, 1975.

Amended regulations issued under cited Act, (40 FR 12253 et seq., 15 CFR 701, 1975) prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C. 20230.

Docket number: 76-00036-33-46500. Applicant: Texas Southern University, 3201 Wheeler Avenue, Houston, Texas 77004. Article: Ultramicrotome LKB 8800A and accessories. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used to prepare specimens of biological materials, mainly mammalian tissues derived from experimental animals, that exhibit both normal and abnormal (pathologic) structure. Investigations will be conducted to identify and localize antigenic molecules in normal and abnormal cells at various stages of developmental processes. Application received by Commissioner of Customs: July 16, 1975.

Docket number: 76-00063-56-17500. Applicant: University of Alaska-Institute of Marine Science, Fairbanks, Alaska 99701. Article: RCM 4, recording current meter w/temp., conductivity & pressure sensors. (10 each). Manufacturer: Ivar Aanderaa, Norway. Intended use of article: The articles will be used for the investigation of current speed and direction; conductivity; temperature and pressure of ocean and estuarine waters to determine current flow patterns and identify water types. Application received by Commissioner of Customs: July 30, 1975.

Docket number: 76-00064-75-68495. Applicant: University of California, Los Alamos Scientific Laboratory, P.O. Box 990, Los Alamos, New Mexico 87545. Article: Mechanical Circulating Pump. Manufacturer: SRTI, France. Intended use of article: The article is intended to be used as a circulating device in a closed loop system which must be absolutely leak tight for purposes of containment of high radioactive gases as well as the prevention of contamination of these gases by air, oils, etc. All experiments are relative to the design and operation of an efficient deuterium-tritium distillation system together with associated pump, valves, pipes and tritium handling procedures and materials as an integral portion of the Intense Neutron Source (a national facility for radiation damage studies). Application received by Commissioner of Customs: July 30, 1975.

Docket number: 76-00065-33-46040. Applicant: University of Wisconsin, Department of Ophthalmology, School of

Medicine, Madison, Wisconsin 53706. Article: Electron Microscope, Model Corinth 275 with Accessories. Manufacturer: AEI Scientific Apparatus Ltd., United Kingdom. Intended use of article: The article is intended to be used primarily for the investigation of the retina and the retinal vascular system in diabetic dog and human eyes in an effort to further clarify the pathogenesis of diabetic microvascular disease which often destroys vision and has become one of the leading causes of blindness. The article will also be used by graduates and post-graduates as an integral part of their research work. The training of technicians will also play an important role in the teaching phase of the instrument use. Application received by Commissioner of Customs: August 1, 1975.

Docket Number: 76-00066-33-46040. Applicant: Louisiana State University Medical Center, School of Medicine in Shreveport, 1501 Kings Highway, P.O. Box 3932, Shreveport, Louisiana 71130. Article: Electron Microscope, Model JEM 100B with accessories. Manufacturer: JEOL, Ltd., Japan. Intended use of article: The article is intended to be used for the studies of normal and pathological (diseased) cells and tissues obtained in the course of diagnosis and/or treatment of patients and in the course of research using animals and cell or tissue cultures (including normal and cancerous cells, nerve tissues from chick embryos and from control and drug-treated suckling rodents, normal and diseased arteries and blood vessels, and control and experimental cells and tissues in cultures). The experiments to be conducted include: (1) Quantitative analysis of myelin formation and nerve maturation; (2) Examination of surgical biopsies and post-mortem specimens for research and diagnostic purposes; (3) Studies of experimentally induced vascular lesions; and (4) Examination of tissues and fluids from patients and from animals by transmission and scanning electron microscopy. In addition, the article will be used by faculty, qualified graduate students, post-doctoral research fellows in the Department of Pathology, and resident staff from associated teaching hospitals. Graduate courses in Cellular Pathology, Cancer Diagnosis, and Renal and Hepatic Ultrastructure will include laboratory sessions. Application received by Commissioner of Customs: August 1, 1975.

Docket Number: 76-00067-33-90000. Applicant: Mayo Foundation, 200 First Street Southwest, Rochester, Minnesota 55901. Article: EMI Scanner Body System (Prototype Design). Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used in investigations to determine the value of computerized tomography as a method of detection and localization of cancer at sites throughout the body. Accuracy, sensitivity, reliability and reproducibility of this new method of diagnostic investigation will be analyzed for a variety of clinical conditions. Emphasis will be placed on solving existing diagnostic problems by a statistically

valid method. In addition, the article is to be used for educational purposes in a graduate program in radiology. Application received by Commissioner of Customs: August 1, 1975.

Docket number: 76-00068-35-54500. Applicant: Temple University Hospital, Dept. of Ophthalmology, 3400 North Broad Street, Philadelphia, Pa. 19140. Article: Ophthalmometer, Tonometer and Slitlamp 900 (Cataract Detector). Manufacturer: Haag-Streit Co., Switzerland. Intended use of article: The article is intended to be used to correlate data in studies of pre and post operative results in cataract patients. This data will improve visual performance and rehabilitate patients after cataract or corneal surgery. The article will also be used to teach resident doctors and students how to examine patients before and after corneal and cataract surgery. Application received by Commissioner of Customs: August 5, 1975.

Docket number: 76-00069-00-46040. Applicant: USDA-ARS-GSB, ARC-West, Beltsville, Md. 20705. Article: PW6570 Scanning Attachment for EM 301 Microscope. Manufacturer: Philips Electronic Instruments NVD, The Netherlands. Intended use of article: The article is an accessory to an existing electron microscope purchased from the same manufacturer which is being used in research on isolation, identification and development of insect pathogens for use in biological control. These include viruses, bacteria, fungi, and protozoa. Special emphasis will be on characterization of insect viruses, their structure, mode of invasion and replication in the insect host susceptible tissues and in insect tissue culture. Examinations will be made using standard EM preparative techniques and modifications as required for negative staining, shadowing, carbon replicas, thin sections, and freeze-etching. Application received by Commissioner of Customs: August 5, 1975.

Docket number: 76-00070-65-90000. Applicant: University of California, Department of Chemistry, Los Angeles, California 90024. Article: Rotating Anode X-ray generator GX-20. Manufacturer: Elliott Automation Radar Systems Ltd., United Kingdom. Intended use of article: The article is intended to be used for single crystal X-ray diffraction experiments on enzyme crystals in a long range program aimed at understanding enzymatic structure and regulation. Application received by Commissioner of Customs: August 5, 1975.

Docket number: 76-00071-00-77040. Applicant: DHEW/FDA, National Center for Toxicological Research, Jefferson, Arkansas 72079. Article: Mass Display and Marker w/o galvanometer, Model 471293. Manufacturer: Varian-MAT GmbH, West Germany. Intended use of article: The article is an accessory to an existing mass spectrometer ordered from the same manufacturer which is being used for the investigation of the chemical structural identity of carcinogenic residues from animal tissue, blood, urine and feces. The article is to be used for determining exact mass starting values and

peak apex determination for data acquisition which is now necessary under the current research protocols. Application received by Commissioner of Customs: August 5, 1975.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

RICHARD M. SEPPA,
Acting Director,
Special Import Programs Division.

[FR Doc.75-22279 Filed 8-21-75; 8:45 am]

U.S. ARMY CONSTRUCTION

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (40 FR 12253 et seq., 15 CFR 701, 1975.)

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 75-00528-23-10000. Applicant: U.S. Army Construction Engineering Research Laboratory, Interstate Research Park, Newark Drive, P.O. Box 4005, Champaign, Illinois 61820. Article: Rapid Analysis Machine Model 22. Manufacturer: Cement and Concrete Association, United Kingdom. Intended use of article: The article is intended to be used in the evaluation of its effectiveness to determine the cement content of fresh concrete typical of U.S. production.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The article provides the capability to measure the cement content of fresh concrete. We find the capability described above is pertinent to the applicant's intended use. NBS advises in its memorandum dated July 31, 1975 that it knows of no domestic instrument of equivalent scientific value to the foreign article for such purposes as the article is intended to be used. The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

RICHARD M. SEPPA,
Acting Director, Special Import
Programs Division.

[FR Doc.75-22278 Filed 8-21-75; 8:45 am]

U.S. ARMY INSTITUTE OF DENTAL RESEARCH AND PRESBYTERIAN UNIVERSITY OF PENNSYLVANIA

Consolidated Decision on Applications for Duty-Free Entry of Accessories for Foreign Instruments

The following is a consolidated decision on applications for duty-free entry of accessories for foreign instruments pursuant to Section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (40 FR 12253 et seq., 15 CFR 701, 1975). (See especially Section 301.11(e).)

A copy of the record pertaining to each of the applications in this consolidated decision is available for public review during ordinary business hours of the Department of Commerce, at the Special Import Programs Division, Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 75-00460-00-46500. Applicant: U.S. Army Institute of Dental Research, Walter Reed Medical Center, Washington, D.C. 20012. Article: Cryokit, Model 14800-1. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used in the preparation of histochemical specimens for elemental analysis using energy-dispersion X-ray analysis in transmission electron microscopy. The tissues are of dental soft and hard specimens in areas of bone implantation, bone repair, dentin formation, endodontic healing and corrosion studies in dental research. Application received by Commissioner of Customs: March 31, 1975. Advice submitted by the Department of Health, Education, and Welfare on: July 25, 1975.

Docket number: 75-00474-00-46040. Applicant: Presbyterian University of Pennsylvania, Schele Eye Institute, 51 North 39th Street, Philadelphia, Pa. 19104. Article: Scanning Device for Electron Microscope. Manufacturer: Hitachi Perkin-Elmer, Japan. Intended use of article: The article is intended to be used for investigation of cell surfaces of normal, virus-infected cells and from optic tissue and neural tissue from both normal and diseased states. Artificial membranes, e.g. liposomes, as well as minomolecular films cast at an air-water interface will also be examined to study their surface parameters following appropriate preparation for scanning microscopy. In addition, the surface structure of viruses as they are being released from an infected cell surface are to be examined directly using secondary fluorescence and appropriate antibodies. The article will also be used for the course Molecular Biology 999 which is independent study as well as for teaching graduate students how to use a scanning microscope in the determination of surface structure. Application received by Commissioner of Customs: April 14, 1975. Advice submitted by the Department of Health, Education and Welfare on: July 25, 1975.

Comments: No comments have been received with respect to any of the fore-

going applications. Decision: Applications approved. No instrument or apparatus of equivalent scientific value to the foreign articles, for the purposes for which the articles are intended to be used, is being manufactured in the United States. Reasons: The applications relate to compatible accessories for instruments that have been previously imported for the use of the applicant institutions. The articles are being manufactured by the manufacturers which produced the instruments with which they are intended to be used. We are advised by the Department of Health, Education, and Welfare in the respectively cited memoranda that the accessories are pertinent to the applicants' intended uses and that it knows of no comparable domestic articles. The Department of Commerce knows of no similar accessories manufactured in the United States which are interchangeable with or can be readily adapted to the instruments with which the foreign articles are intended to be used.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

RICHARD M. SEPPA,
Acting Director, Special Import
Programs Division.

[FR Doc.75-22282 Filed 8-21-75; 8:45 am]

UNIVERSITY OF CALIFORNIA, LOS ALAMOS

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (40 FR 12253 et seq., 15 CFR 701, 1975.)

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 75-00481-75-46040. Applicant: University of California, Los Alamos Scientific Laboratory, P.O. Box 990, Los Alamos, New Mexico 87514. Article: Electron Microscope, Model JEM 200B. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used for (1) the examination of grain boundaries for precipitates, identification, and characterization, (2) determination of habit planes of martensite platelets effect of delta stabilizing elements on plutonium substructure determination of recovery and recrystallization behavior of alpha and delta plutonium (SIC); and (3) characterization of irradiation damage in Al₂O₃ and other refractories.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended

to be used, is being manufactured in the United States. Reasons: The foreign article provides a maximum accelerating voltage of 200 kilovolts. The most closely comparable domestic instrument is the Model EMU-4C which is being supplied by the Adam David Company. The Model EMU-4C has a specified maximum accelerating voltage of 100 kilovolts.

We are advised by the National Bureau of Standards (NBS) in its memorandum dated July 31, 1975 that the higher accelerating voltage provides proportionately greater penetrating power and, consequently, higher resolution for a specimen of a given thickness. NBS further advises that due to the nature of the material on which research will be conducted with the use of the foreign article, relatively thick specimens must be used in the experiments and, therefore, the higher accelerating voltage of the foreign article is a pertinent characteristic.

For these reasons, we find that the Model EMU-4C is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument being manufactured in the United States, which is of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

RICHARD M. SEPPA,
Acting Director, Special Import
Programs Division.

[FR Doc.75-22274 Filed 8-21-75;8:45 am]

UNIVERSITY OF CHICAGO—ARGONNE
Decision on Application for Duty-Free
Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (40 FR 12253 et seq, 15 CFR 701, 1975.)

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 75-00428-00-46040. Applicant: University of Chicago, Operator of Argonne National Laboratory, 9700 South Cass Avenue, Argonne, Illinois 60439. Article: Accessories for JEM 100C Electron Microscope consisting of Single Tilt (+45°), Heating Holder, Power Control Box for SMM, BF-DF Capability for ASID/ASD, Y Modulation Device, and Cabinet and Power Supply for Accessories. Manufacturer: JEOL, Ltd., Japan. Intended use of article: The articles are accessories to an electron microscope,

being purchased from the same manufacturer, which are necessary for the accomplishment of planned basic and applied studies related to the use of materials in energy conversion systems.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The application relates to compatible accessories for an instrument that had been previously imported for the use of the applicant institution. The article is being furnished by the manufacturer which produced the instrument with which the article is intended to be used and is pertinent to the applicant's purposes.

The Department of Commerce knows of no similar accessories being manufactured in the United States, which is interchangeable with or can be readily adapted to the instrument with which the foreign article is intended to be used.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

RICHARD M. SEPPA,
Acting Director, Special Import
Programs Division.

[FR Doc.75-22275 Filed 8-21-75;8:45 am]

UNIVERSITY OF CINCINNATI
Decision on Application for Duty-Free
Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (40 FR 12253 et seq, 15 CFR 701, 1975.)

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 75-00409-98-54800. Applicant: University of Cincinnati, Department of Physics, Mail Location #11, Cincinnati, Ohio 45221. Article: Optical Benches and Accessories, Manufacturer: Precision Tool and Instrument Co., Ltd., United Kingdom. Intended use of article: The article is intended to be used for the investigation of the problem of phonons and phonon transport at low temperatures in amorphous insulators by the technique of laser light scattering. Experiments performed are part of the training of graduate students seeking their Ph.D. degree in experimental physics. The course is designed for students to develop the capacity for original thinking and to allow them to complete a research project which contributes significantly to the advancement of physics.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article provides capabilities of stability and fine adjustment suitable for performing in conjunction with a state-of-the-art high resolution Brillouin scattering system. The National Bureau of Standards (NBS) advises in its memorandum dated July 30, 1975 that the capabilities described above are pertinent to the applicants intended purposes. NBS also advises that it knows of no domestic optical bench and accessories of equivalent scientific value to the foreign article for such purposes as the article is intended to be used.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

RICHARD M. SEPPA,
Acting Director, Special Import
Programs Division.

[FR Doc.75-22276 Filed 8-21-75;8:45 am]

UNIVERSITY OF ILLINOIS MEDICAL CENTER AND MASSACHUSETTS MEDICAL CENTER

Consolidated Decision on Applications for
Duty-Free Entry of Electron Microscopes

The following is a consolidated decision on applications for duty-free entry of Electron Microscopes pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (40 F.R. 12253 et seq. 15 CFR 701, 1975). (See especially Section 301.11 (e).)

A copy of the record pertaining to each of the applications in this consolidated decision is available for public review during ordinary business hours of the Department of Commerce, at the Special Import Programs Division, Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 75-00448-35-46040. Applicant: University of Illinois at Medical Center, College of Dentistry, Dept. of Oral Pathology, 808 S. Wood Street, Chicago, IL 60612. Article: Electron Microscope, Model EM 301 with accessories. Manufacturer: Philips Electronic Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used in studies of oral mucosa, especially gingivitis and bacterial plaque attached, and mineralizing segments of bone and tooth. The fine structure of normal oral mucosa is being compared in respect of organelles and enzyme distribution with mucosa from animals on a diet deficient in zinc. The fine structural localization of cyclic nucleotides is being determined by electron

histochemistry in normal rabbit mucosa, along with the nature of the earliest stages of mineralization in normal and abnormal teeth and bones. In addition, the article is to be used to educate at an undergraduate and post-graduate/graduate level the students and faculty of the Departments of Oral Pathology. Application received by Commissioner of Customers: March 24, 1975. Advice submitted by the Department of Health, Education, and Welfare on: July 25, 1975. Article ordered: November 15, 1975.

Docket number: 75-00465-33-46040. Applicant: Massachusetts General Hospital, Boston, Massachusetts 02114. Article: Electron Microscope, Model EM 301. Manufacturer: Philips Electronic Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used for biomedical research. The materials to be studied are animal and human tissues, cells, and cell organelles as well as similar components of animal and human cells in culture systems. The article will also be used for advanced training in research for post doctoral fellows. Application received by Commissioner of Customs: March 31, 1975. Advice submitted by the Department of Health, Education, and Welfare on: July 25, 1975. Article ordered: November 21, 1974.

Comments: No comments have been received in regard to any of the foregoing applications. Decision: Applications approved. No instrument or apparatus of equivalent scientific value to the foreign articles, for the purposes for which the articles are intended to be used, was being manufactured in the United States at the time the articles were ordered. Reasons: Each foreign article has a specified resolving capability of 3.0 Angstroms. The most closely comparable domestic instrument available at the time the articles were ordered was the Model EMU-4C electron microscope supplied by Adam David Company. The Model EMU-4C has a specified resolving capability of five Angstroms. (Resolving capability bears an inverse relationship to its numerical rating in Angstrom units, i.e., the lower the rating, the better the resolving capability.) We are advised by the Department of Health, Education, and Welfare in the respectively cited memoranda, that the additional resolving capability of the foreign articles is pertinent to the purposes for which each of the foreign articles to which the foregoing applications relate is intended to be used. We, therefore, find that the Model EMU-4C was not of equivalent scientific value to any of the articles to which the foregoing applications relate, for such purposes as these articles are intended to be used, at the time the articles were ordered.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to any of the foreign articles to which the foregoing applications relate, for such purposes as these articles are intended to be used, which was being manufactured in the

United States at the time the articles were ordered.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

RICHARD M. SEPPA,
Acting Director,

Special Import Programs Division.

[FR Doc.75-22283 Filed 8-21-75; 8:45 am]

UNIVERSITY OF ILLINOIS—URBANA

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (40 F.R. 12253 et seq., 15 CFR 701, 1975).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C., 20230.

Docket number: 75-00443-65-46040. Applicant: University of Illinois, Urbana-Champaign Campus, Purchasing Division, 223 Administration Building, Urbana, Illinois 61801. Article: Electron Microscope, Model H-500. Manufacturer: Hitachi, Japan. Intended use of article: The article is intended to be used for high resolution transmission electron diffraction studies of metallic materials which include the following: substructures of martensitic phases, pre-transformation lattice instabilities, lattice resolution analysis of close packed long period stacking structures, formation and reversion of thermoelastic martensites in thin foils, crystal structure analysis by means of electron imaging and diffraction, and studies of dislocation arrays in interphase interfaces.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article provides a maximum accelerating voltage of 125 kilovolts and a large angle tilting capability ($\pm 60^\circ$ uniaxial, $\pm 40^\circ$ with 360° azimuthal range) while maintaining 3.4 Angstroms (\AA) lattice. The National Bureau of Standards (NBS) advises in its memorandum dated July 29, 1975 that the capabilities of the article described above are pertinent to the applicant's intended uses. NBS also advises that it knows of no domestic instrument of equivalent scientific value to the foreign article for the applicant's intended use.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

RICHARD M. SEPPA,

Acting Director,

Special Import Programs Division.

[FR Doc.75-22277 Filed 8-21-75; 8:45 am]

UNIVERSITY OF WISCONSIN—MADISON ET AL.

Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, on or before September 15, 1975.

Amended regulations issued under cited Act, (40 FR 12253 et seq., 15 CFR 701, 1975) prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C. 20230.

Docket number: 76-00077-01-77030. Applicant: University of Wisconsin-Madison, Department of Chemistry, 500 Lincoln Drive, Madison, Wisconsin 53706. Article: Fourier Transform NMR Spectrometer, Model FX60. Manufacturer: JEOL, Ltd., Japan. Intended use of article: The article is intended to be used to provide broad support for a substantial number of research programs in which carbon-13 and proton nuclear magnetic resonance spectra are aids of major significance. The coverage of these programs extends over a wide range of areas of organic, inorganic, and bio-organic interest, including in particular the following:

- Metal-carbene complexes.
- Structure and bonding in inorganic compounds, particularly metal carbonyls.
- Chemistry of metalloboranes, organogallium compounds, etc.
- Carbonium ion rearrangements, chiral shift reagents.
- Hydrazine-hydrazinium ion equilibria, molecular rearrangements.
- Binding of Pyridoxal 5'-Phosphate to enzymes.
- Stereochemical studies of organometaloid compounds.
- Complexes of metals with isocyanides.
- Identification and synthesis of theoretically significant molecules and natural products.
- Organophosphorus intermediates.

Organometallic compounds, especially of Group IV elements; structure, chemical bonding, and reaction mechanisms of organosilicon compounds; new aromatic species: oxocarbons; perhalogenated cyclic compounds.

Bio-organic chemistry.

Mechanistic and exploratory organic photochemistry.

Application received by Commissioner of Customs: August 11, 1975.

Docket number: 76-00078-60-46040. Applicant: United States Department of Agriculture-Agricultural Research Service, U.S. Grain Marketing Research Center, 1515 College Avenue, Manhattan, Kansas 66502. Article: Electron Microscope, Model EM-201-S. Manufacturer: Philips Electronic Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used for studies of the structure, physiology, and mode of action of selected bacterial insect pathogens. Viral control of insect pests will also be investigated. A fine-structural analysis is to be conducted to identify and classify insect sensory organs with the objective of determining which sensory structure can be altered to prevent the feeding and mating responses. Application received by Commissioner of Customs: August 12, 1975.

Docket number: 76-00079-33-71200. Applicant: Cornell University Medical College, 1300 York Avenue, New York, N.Y. 10021. Article: Freeze drying plant type FT-1 Mk2. Manufacturer: Bergman & Beving, AB, Sweden. Intended use of article: The article is intended to be used to study the factors regulating the growth and development of adrenergic neurons in the periphery and in the brain. More specifically, the article is necessary for the preparation of the above tissues for fluorescence histochemical analysis of neurons which contain norepinephrine, epinephrine, dopamine and serotonin. The studies are designed to define normal neuronal maturation and thereby learn more about diseases of the nervous system. Application received by Commissioner of Customs: August 12, 1975.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

RICHARD M. SEPPA,
Acting Director

Special Import Programs Division.

[FR Doc.75-22280 Filed 8-21-75; 8:45 am]

UNIVERSITY OF WISCONSIN AND SOUTH DAKOTA STATE UNIVERSITY

Cancellations of Applications for Duty Free Entry of Scientific Articles

Pursuant to letters dated July 8, 1975, the Director of the Classification and Value Division, U.S. Customs Service, advised the following applicants that their applications would not be processed further since the entries in question were previously liquidated as dutiable, thereby disqualifying the instruments from duty-free entry consideration.

Docket number: 75-00254-33-46040. Applicant: University of Wisconsin, 750 University Avenue, Madison, Wisconsin 53706. Article: Electron Microscope, Model HU-12A.

Docket number: 75-00466-33-46040. Applicant: South Dakota State University Electron Microscope Laboratory, Vet. Sci 113, Brookings, South Dakota 57006. Article: Electron Microscope, Model HU-12.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

RICHARD M. SEPPA,
Acting Director,

Special Import Programs Division.

[FR Doc.75-22281 Filed 8-21-75; 8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[FDA 224-76 8049]

QUALITY ASSURANCE FOR DRUGS, BIOLOGICS, CHEMICALS, AND REAGENTS

Interagency Agreement With the Veterans Administration

The Food and Drug Administration has executed an Interagency Agreement with the Veterans Administration, Washington, D.C., for the purpose of formalizing an agreement regarding responsibility for quality assurance for certain drugs, biologics, chemicals, and reagents as part of the Government-Wide Quality Assurance Program. It reads as follows:

INTERAGENCY AGREEMENT BETWEEN THE VETERANS ADMINISTRATION AND THE FOOD AND DRUG ADMINISTRATION

I. Purpose. To formalize an agreement between the Veterans Administration (VA) and the Food and Drug Administration (FDA) by which FDA is to be responsible for providing quality assurance for all drugs and biologics VA procures, stores, and distributes, including its Federal Supply Schedule assignment.

II. Background. The Office of Management and Budget (OMB) and the General Accounting Office (GAO) completed separate studies in late 1973 and early 1974 of the Federal procurement of medical and non-perishable subsistence supplies. The OMB and GAO recommended that the Food and Drug Administration be the agency responsible for quality assurance of all medical products procured by Federal agencies. In June 1974, the Director of OMB requested that the Department of HEW take the lead in developing an Executive Branch plan for a Government-Wide Quality Assurance Program. FDA is responsible for developing and implementing the plan. FDA decided that due to the great diversity of medical products procured by the Federal Government, it would be desirable to first develop a quality assurance program covering drugs and biologics, and to include all other medical products in a second phase of the program. This agreement is the mechanism for FDA's assuming the responsibility for quality assurance for drugs and biologics VA procures, stores, and distributes.

III. The Veterans Administration and the Food and Drug Administration Agree: 1. FDA will be responsible for quality assurance for all drugs, biologics, chemicals, and reagents

VA purchases, stores, and distributes, including its Federal Supply Schedule assignment;

2. The Current Good Manufacturing Practice Regulations (CGMPR's) (21 CFR Part 133) will be the single standard to be applied industry-wide for the manufacture, processing, packing or holding of drugs procured by governmental agencies;

3. The Food and Drug Administration will be the agency responsible for administrative interpretation and enforcement of the CGMPR's;

4. Existing procedural and policy guides and standards employed by VA will remain applicable until such time as FDA assumes formal responsibility for the quality assurance functions to which the guides and standards apply.

5. FDA will be responsible for and will conduct all inspectional work associated with the quality assurance of drugs, biologics, chemicals, and reagents. This responsibility will be assumed beginning July 1, 1975.

6. FDA will assume full responsibility for performing all laboratory testing relating to the quality assurance of drugs, biologics, chemicals, and reagents on July 1, 1975.

7. FDA will not certify the quality capability of a firm for procurement if the firm is not in business, or if the nature of the firm's operations does not allow a proper evaluation to be made of the firm's ability to produce a product of acceptable quality.

8. The purchasing agency shall continue to prepare and to be responsible for purchasing specifications. FDA will be responsible for review and concurrence in the parts of purchasing specifications that concern drug and biologic quality. Whatever public and private drug and biologic product quality specifications are applicable to the general public will also apply to government procurements. For those products for which there are official published specifications of quality, or for which there are approved New Drug Applications (NDA's) or Abbreviated New Drug Applications (ANDA's), approved antibiotic Form 6's, or FDA licensing, the quality assurance requirements therein will be the quality assurance requirements for procurement purposes, and a reference to such a requirement in the procurement specifications shall be sufficient to define the quality requirement. A special purchase specification that impinges on quality specifications may be justified by VA, when it is required because of VA special needs.

IV. The Veterans Administration Agrees:

1. To furnish to FDA all relevant information needed by FDA concerning the firm and the products involved, when requesting a quality assurance evaluation of a firm's capability to supply a quality drug, biologic, chemical, or reagent;

2. To inform FDA immediately whenever any information is received which may impact adversely on the quality assurance of any firm or product;

3. To furnish justification when requesting that FDA conduct an on-site inspection of a firm, analysis of a product, or other work VA believes necessary;

4. To participate fully in FDA's drug defect reporting system, in addition to conducting its own internal reporting system;

5. To submit samples and request analysis in accordance with procedures FDA establishes.

V. The Food and Drug Administration Agrees:

1. To continue in a timely manner to revise and update the CGMPR's and to promulgate new CGMPR's for specific segments of the industry;

2. To review procedural and policy guidance relating to standards currently in use

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by VA and incorporate as appropriate into FDA guidance systems;

3. To publish in FDA's Inspection Operations Manual, or other appropriate publication, a listing of commonly used terms relating to the CGMP's and the standards VA has been using, with definitions of the terms that will be recognized by all involved parties;

4. To furnish to VA, on request, an annual quality assurance evaluation of a firm's capability to supply products which meet quality standards and are in compliance with laws FDA enforces. For those firms from whom VA is considering acquiring drugs, biologics, chemicals, or reagents for the first time, FDA will on request furnish a quality evaluation within 10 workdays after receipt of the request. The evaluation of an establishment will be based on information in FDA files which reflects the current operations and status of the firm. There will be instances when an inspection will be required to obtain additional information, in order for FDA to properly evaluate an establishment. FDA will conduct such inspections when they are deemed necessary. The following are FDA's internal guidelines for determining the need for an on-site inspection:

a. Inspection indicated: (1) There has been no inspection of the establishment within the past 24 months which adequately covered the category of product(s) involved; or

(2) Affirmative information is available which puts in reasonable doubt the ability of the establishment to produce a quality product; or,

(3) The purchasing agency requests, and FDA concurs, that a special circumstance requires an inspection be made. (FDA will honor specific requests from VA that an on-site inspection be conducted to the maximum extent possible.)

b. Inspection not indicated: There has been an inspection of the establishment within the past 24 months which covered the category of product and found the quality assurance satisfactory; and there is no affirmative information available to put in doubt or negate the findings of the last inspection;

5. To make the determination of when analysis of samples is required for evaluation of quality;

6. To perform analytical work in support of VA's customer complaint program, and in the extension of expiration dates/sheif life as required;

7. To complete analytical work and report the results to VA within 14 workdays following receipt of the sample by the proper laboratory facility. There will be instances where the 14-day deadline cannot be met due to the nature of the analysis required. In all instances, sample analysis for VA will be handled in the most expeditious manner possible;

8. To undertake an orderly process to review VA's drug and biologic product quality purchase specifications, and retain only those which are applicable to product quality. In the review process, first priority will be given to drugs of highest medical significance;

9. To accommodate the varying needs of the Veterans Administration to the maximum extent feasible.

VI. Name and Address of Participating Activities. Veterans Administration, 810 Vermont Ave., Washington, DC, 20420

Food and Drug Administration, 5600 Fishers Lane, Rockville, Maryland, 20852

VII. Liaison Officers. a. For the Veterans Administration:

Robert G. Rose, Director, VA Marketing Center, P.O. Box 76, Hines, Illinois 60141, (312) 261-2801.

b. For the Food and Drug Administration: Director, Medical Products Quality Assurance Staff (HFC-50), Office of the Associate Commissioner for Compliance, 5600 Fishers Lane, Rockville, Maryland 20852, (301) 443-1645.

VIII. Period of Agreement. This agreement, when accepted by both parties, will have an effective period from July 1, 1975, or date of signature, whichever is later, with no expiration date, and may be terminated by either party, with concurrence of OMB, upon 90 day's advance written notice to the other party.

IX. Revisions. Additional procedures and revisions as may be necessary for the implementation of this agreement and to effectuate the intention of the parties may be developed jointly by FDA and VA. Such revisions shall become effective on such date as is mutually agreed upon by the parties.

X. Funding and Support. Two (2.0) positions and \$208,000 to accomplish these activities will be provided by real transfers to FDA from VA in FY 1976 and through transfers in the appropriation estimates for FY 1977. Thereafter, regular provisions for these activities will be included in FDA budget requests. The initial level of support will be determined and mutually agreed to by the

signatory agencies prior to the effective date of this agreement.

XI. Authority. This agreement is entered into under the authority of the Economy Act approved June 30, 1932, as amended (31 U.S.C. 686).

Approved and accepted for the Veterans Administration:

Dated: June 19, 1975.

DONALD P. WHITWORTH,
Director, Supply Service.

Approved and accepted for the Food and Drug Administration:

Dated: June 12, 1975.

GERALD F. MEYER,
Associate Commissioner
for Administration.

Effective date. This Memorandum of Understanding became effective July 1, 1975.

Dated: August 14, 1975.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc.75-22179 Filed 8-21-75; 8:45 am]

ADVISORY COMMITTEES

Supplemental Notice of Meetings

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776 (5 U.S.C. App. I)), the Food and Drug Administration announces the following public advisory committee meetings and other required information in accordance with provisions set forth in section 10(a) (1) and (2) of the act:

Committee name	Date, time, place	Type of meeting and contact person
1. Panel on Review of Antimicrobial Agents.	Sept. 5, 6, and 7, 9 a.m., Conference Room C, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Open public hearing Sept. 5, 9 a.m. to 10 a.m.; closed committee deliberations Sept. 5, 10 a.m. to 4:30 p.m.; closed committee deliberations Sept. 6 and 7, 9 a.m. to 4:30 p.m.; Armond M. Welch (HFD-510), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-4960.

General function of the committee. Reviews and evaluates available data concerning the safety and effectiveness of nonprescription drug products.

Agenda—Open public hearing. During this portion, any interested person may present data, information, or views, orally or in writing, on the issues pending before the committee.

Closed committee deliberations. Continuing review and investigation of the ingredients included in over-the-counter antimicrobial drug products. This meeting is closed to protect the free exchange of internal views.

Committee name	Date, time, place	Type of meeting and contact person
2. Subcommittee on the Toxicity of Tricyclic Antidepressants of the Psychopharmacological Agents Advisory Committee.	Sept. 10, 9:30 a.m., Conference Room C, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Open public hearing 9:30 a.m. to 10:30 a.m., open committee discussion 10:30 a.m. to 4:30 p.m., closed committee deliberations 4:30 p.m. to 5:30 p.m.; Stephen Graft (HFD-120), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-3970.

General function of the committee. Reviews and evaluates available data concerning the safety and effectiveness of marketed and investigational prescription drugs for use in the practice of psychiatry and related fields.

Agenda—Open public hearing. During this portion, any interested person may present data, information, or views, orally or in writing, on the issues pending before the committee.

Open committee discussion. Discussion of toxicity of tricyclic antidepressants.
Closed committee deliberations. Discussion of toxicity of tricyclic antidepressants. This meeting is closed to protect the free exchange of internal views and to formulate recommendations.

Committee name	Date, time, place	Type of meeting and contact person
3. Panel on Review of Bacterial Vaccines and Toxoids.	Sept. 11 and 12, 9 a.m., Room 121, Building 29, National Institutes of Health, 8800 Rockville Pike, Bethesda, Md.	Open public hearing Sept. 11, 9 a.m. to 10 a.m., open committee discussion Sept. 11, 10 a.m. to 6 p.m.; closed committee deliberations Sept. 12, 9 a.m.; Jack Gertzog (HFD-5), 8800 Rockville Pike, Bethesda, Md. 20014, 301-496-4545.

General function of the committee. Reviews and evaluates available data concerning the safety and effectiveness of biological products.

Agenda—Open public hearing. During this portion, any interested person may present data, information, or views, orally or in writing, on the issues pending before the committee.

Open committee discussion. Discussion of the minutes of the previous meeting; discussion of generic product statements for plague, typhoid, anthrax and tuberculosis.

Closed committee deliberations. Review of specific vaccine and toxoid products for diphtheria, tetanus, pertussis, plague, typhoid, tuberculosis, and anthrax. This meeting is closed to protect the free exchange of internal views and to formulate final recommendations for products to be reviewed which involve marketing information, manufacturing information, and possibly medical or clinical reports, all of which may be privileged or confidential information.

Committee name	Date, time, place	Type of meeting and contact person
4. Panel on Review of Contraceptives and Other Vaginal Drug Products.	Sept. 18 and 19, 9 a.m., Conference Room L, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Open public hearing Sept. 18, 9 a.m. to 10 a.m., closed committee deliberations Sept. 18, 10 a.m. to 4:30 p.m.; closed committee deliberations Sept. 19, 9 a.m. to 4:30 p.m.; Armond Welch (HFD-510), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-4960.

General function of the committee. Reviews and evaluates available data concerning the safety and effectiveness of nonprescription drug products.

Agenda—Open public hearing. During this portion, any interested person may present data, information, or views, orally or in writing, on the issues pending before the committee.

Closed committee deliberations. Continuing review and investigation of the ingredients included in over-the-counter contraceptive drug products. This meeting is closed to protect the free exchange of internal views.

Committee name	Date, time, place	Type of meeting and contact person
5. Panel on Review of Miscellaneous Internal Drug Products.	Sept. 21 and 22, 9 a.m., Conference Room C, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Closed committee deliberations Sept. 21, 9 a.m. to 4:30 p.m., open public hearing Sept. 22, 9 a.m. to 10 a.m., closed committee deliberations Sept. 22, 10 a.m. to 4:30 p.m.; Armond Welch (HFD-510), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-4960.

General function of the committee. Reviews and evaluates available data concerning the safety and effectiveness of nonprescription drug products.

Agenda—Open public hearing. During this portion, any interested person may present data, information, or views, orally or in writing, on the issues pending before the committee.

Closed committee deliberations. Continuing review and investigation of the ingredients included in over-the-counter miscellaneous internal drug products. This meeting is closed to protect the free exchange of internal views.

Committee name	Date, time, place	Type of meeting and contact person
6. Pediatric Subcommittee of the Psychopharmacological Agents Advisory Committee.	Sept. 22 and 23, 9 a.m., Room 1400, FOB-8, 200 C St. SW., Washington, D.C.	Open public hearing Sept. 22, 9 a.m. to 10 a.m., open committee discussion Sept. 22, 10 a.m. to 5:30 p.m.; open committee discussion Sept. 23, 9 a.m. to 5:30 p.m.; Julius J. Clinque (HFD-120), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-3900.

General function of the committee. Reviews and evaluates available data concerning the safety and effectiveness of marketed and investigational prescription drugs for use in the practice of psychiatry and related fields.

Agenda—Open public hearing. During this portion, any interested person may present data, information, or views, orally or in writing, on the issues pending before the committee.

Open committee discussion. Discussion of the phenothiazine subpanel report; long term protocol report; and the pediatric guideline report.

Committee name	Date, time, place	Type of meeting and contact person
7. Panel on Review of Skin Test Antigens.	Sept. 26 and 27, 1 p.m., Room 121, Building 29, National Institutes of Health, 8800 Rockville Pike, Bethesda, Md.	Open public hearing and open committee discussion Sept. 26, 1 p.m. to 2 p.m., closed committee deliberations Sept. 26, 2 p.m.; closed committee deliberations Sept. 27, 8:30 a.m.; Clay Sisk (HFB-5), 8800 Rockville Pike, Bethesda, Md. 20014, 301-406-4545.

General function of the committee. Reviews and evaluates available data concerning the safety and effectiveness of biological products.

Agenda—Open public hearing/open committee discussion. During this portion, any interested person may present data, information, or views, orally or in writing, on the issues pending before the committee. Discussion of the minutes of the previous meeting with comments and questions from the public.

Closed committee deliberations. Review of the draft final report to the Commissioner of Food and Drugs and formulation of final recommendations for all skin test antigens assigned to the panel. This portion is closed to allow free exchange of internal views.

Committee name	Date, time, place	Type of meeting and contact person
8. Task Force of the Obstetrics and Gynecology and the Biometric and Epidemiological Methodology Advisory Committees.	Sept. 26, 9 a.m., Conference Room A, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Open public hearing 9 a.m. to 10 a.m., open committee discussion 10 a.m. to 1 p.m., closed committee deliberations 1 p.m. to 5 p.m.; A. T. Gregoire, Ph. D. (HFD-130), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-3510.

General function of the committee. Obstetrics and Gynecology Advisory Committee: Reviews and evaluates available data concerning safety and effectiveness of marketed and investigational prescription drugs for use in the practice of obstetrics and gynecology. Biometric and Epidemiological Methodology Advisory Committee: Reviews and evaluates scientific studies and data with respect to, and otherwise advises the Commissioner on, epidemiological and biometrical methodologies.

Agenda—Open public hearing. During this portion, any interested person may present data, information, or views, orally or in writing, on the issues pending before the committee.

Open committee discussion. The task force will consider the feasibility of a retrospective study, using existing data banks, to evaluate the occurrence of carcinoma-in-situ and the use of medroxyprogesterone acetate (Depo-Provera) injectable for contraception.

Closed committee deliberations. Discussion of Depo-Provera as described above. This meeting is closed to protect the free exchange of internal views.

Agenda items are subject to change as priorities dictate.

During the open sessions shown above, interested persons may present relevant information or views orally to any committee for its consideration. Information or views submitted to any committee in writing before or during a meeting shall also be considered by the committee.

A list of committee members and summary minutes of meetings may be obtained from the contact person for the committee both for meetings open to the public and those meetings closed to the public in accordance with section 10(d) of the Federal Advisory Committee Act.

Most Food and Drug Administration advisory committees are created to advise the Commissioner of Food and Drugs on pending regulatory matters. Recommendations made by the committees on these matters are intended to result in action under the Federal Food, Drug, and Cosmetic Act, and these committees thus necessarily participate with the Commissioner in exercising his law enforcement responsibilities.

The Freedom of Information Act recognized that the premature disclosure of regulatory plans, or indeed internal discussions of alternative regulatory approaches to a specific problem, could have adverse effects upon both public and private interests. Congress recognized that such plans, even when finalized, may not be made fully available in advance of the effective date without damage to such interests, and therefore provided for this type of discussion to remain confidential. Thus, law enforcement activities have long been recognized as a legitimate subject for confidential consideration.

These committees often must consider trade secrets and other confidential information submitted by particular manufacturers which the Food and Drug Administration by law may not disclose, and which Congress has included within the

exemptions from the Freedom of Information Act. Such information includes safety and effectiveness information, product formulation, and manufacturing methods and procedures, all of which are of substantial competitive importance.

In addition, to operate most effectively, the evaluation of specific drug or device products requires that members of committees considering such regulatory matters be free to engage in full and frank discussion. Members of committees have frequently agreed to serve and to provide their most candid advice on the understanding that the discussion would be private in nature. Many experts would be unwilling to engage in candid public discussion advocating regulatory action against a specific product. If the committees were not to engage in the deliberative portions of their work on a confidential basis, the consequent loss of frank and full discussion among committee members would severely hamper the value of these committees.

The Food and Drug Administration is relying heavily on the use of outside experts to assist in regulatory decisions. The Agency's regulatory actions uniquely affect the health and safety of every citizen, and it is imperative that the best advice be made available to it on a continuing basis in order that it may most effectively carry out its mission.

A determination to close part of an advisory committee meeting does not mean that the public should not have ready access to these advisory committees considering regulatory issues. A determination to close the meeting is subject to the following conditions: First, any interested person may submit written data or information to any committee, for its consideration. This information will be accepted and will be considered by the committee. Second, a portion of every committee meeting will be

open to the public, so that interested persons may present any relevant information or views orally to the committee. The period for open discussion will be designated in any announcement of a committee meeting. Third, only the deliberative portion of a committee meeting, and the portion dealing with trade secret and confidential information, will be closed to the public. The portion of any meeting during which nonconfidential information is made available to the committee will be open for public participation. Fourth, after the committee makes its recommendations and the Commissioner either accepts or rejects them, the public and the individuals affected by the regulatory decision involved will have an opportunity to express their views on the decision. If the decision results in promulgation of a regulation, for example, the proposed regulation will be published for public comment. Closing a committee meeting for deliberations on regulatory matters will therefore in no way preclude public access to the committee itself or full public comment with respect to the decisions made based upon the committee's recommendation.

The Commissioner has been delegated the authority under section 10(d) of the Federal Advisory Committee Act to issue a determination in writing, containing the reasons therefor, that any advisory committee meeting is concerned with matters listed in 5 U.S.C. 552(b), which contains the exemptions from the public disclosure requirements of the Freedom of Information Act. Pursuant to this authority, the Commissioner hereby determines, for the reasons set out above, that the portions of the advisory committee meetings designated in this notice as closed to the public involve discussion of existing documents falling within one of the exemptions set forth in 5 U.S.C. 552(b), or matters that, if in writing, would fall within 5 U.S.C. 552(b), and that it is essential to close such portions of such meetings to protect the free exchange of internal views and to avoid undue interference with Agency and committee operations. This determination shall apply only to the designated portions of such meetings which relate to trade secrets and confidential information or to committee deliberations.

Dated: August 18, 1975.

SAM D. FINE,
Acting Commissioner of
Food and Drugs.

[FR Doc.75-22178 Filed 8-21-75;8:45 am]

**National Institutes of Health
ARTERIOSCLEROSIS AND HYPERTENSION
ADVISORY COMMITTEE**

Change of Meeting Location

Notice is hereby given of the relocation of the meeting of the Arteriosclerosis and Hypertension Advisory Committee, National Heart and Lung Institute, September 29-30, 1975, Conference Room A809, Landow Building, Bethesda, Maryland, which was published in the

FEDERAL REGISTER ON August 1, 1975, 40 FR 32368.

The meeting will now be held in the Fogarty International Center, Building 16 (Stone House), Conference Room, National Institutes of Health.

Dated: August 12, 1975.

R. W. LAMONT-HAVERS,
Acting Director,
National Institutes of Health.

[FR Doc.75-22186 Filed 8-21-75;8:45 am]

CLINICAL TRIALS REVIEW COMMITTEE Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Clinical Trials Review Committee, National Heart and Lung Institute, September 29-30, 1975, National Institutes of Health, Building 31, Conference Room 8. This meeting will be open to the public from 8:30 a.m. to 9:00 a.m. on September 29, 1975, to discuss an administrative report. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in Sections 552(b)(4), 552(b)(5) and 552(b)(6), Title 5, U.S. Code and Section 10(d) of Public Law 92-463, the meeting will be closed to the public on September 29 from 9:00 a.m. to adjournment on September 30 for the review, discussion and evaluation of individual initial pending and renewal grant applications and individual contract proposals. The closed portion of the meeting involves solely the internal expression of views and judgments of committee members on individual grant applications and individual contract proposals containing detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the applications and proposals.

Mr. York Onnen, Chief, Public Inquiries and Reports Branch, NHLI, National Institutes of Health, Building 31, Room 5A21, phone (301) 496-4236, will provide summaries of the meeting and rosters of the committee members. Dr. Samuel M. Schwartz, Associate Director for Review, Division of Extramural Affairs, NHLI, Westwood Building, Room 554A, phone (301) 496-7933, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.837, National Institutes of Health.)

Dated: August 12, 1975.

R. W. LAMONT-HAVERS,
Acting Director,
National Institutes of Health.

[FR Doc.75-22187 Filed 8-21-75;8:45 am]

AGING REVIEW COMMITTEE Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Aging Review Committee, National Institute on Aging on October 2-3, 1975,

in Building 31C, Conference Room 8, National Institutes of Health, Bethesda, Maryland.

The meeting will be open to the public from 9:00 a.m. to 10:00 a.m. on October 2 for introductory remarks by Dr. Richard Greulich, Acting Director, National Institute on Aging, and Dr. Leroy Duncan, Chief, Adult Development and Aging Branch. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in Sections 552(b)(4), 552(b)(5), and 552(b)(6), Title 5, U.S. Code and Section 10(d) of P.L. 92-463, the meeting will be closed to the public on October 2 from 10:00 a.m. to adjournment on October 3 for the review, discussion and evaluation of individual initial pending, supplemental and renewal grant applications. The closed portion of the meeting will involve solely the internal expression of views and judgments of committee members on individual grant applications containing detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the applications.

Mr. Michael Machesko, Administrative Officer NIA, Building 31, Room 4B59, National Institutes of Health, Bethesda, Maryland, Area Code 301, 496-5345, will provide a summary of the meeting and a roster of committee members. Dr. Walter Spieth, Executive Secretary of the Aging Review Committee, NIA, Landow Building, Room A-710, National Institutes of Health, Bethesda, Maryland, Area Code 301, 496-1033, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.317, National Institutes of Health.)

Dated: August 18, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

[FR Doc.75-22188 Filed 8-21-75;8:45 am]

GENERAL RESEARCH SUPPORT PROGRAM ADVISORY COMMITTEE Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the General Research Support Program Advisory Committee of the Division of Research Resources, October 9-10, 1975, from 9:00 a.m. to 5:00 p.m., in Building 31, Conference Room 9, Bethesda, Maryland. This meeting will be open to the public from 9:00 a.m. to 1:30 p.m. on October 9, 1975, to discuss administrative matters relating to programs. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in Sections 552(b)(4), 552(b)(5), and 552(b)(6), Title 5, U.S. Code and Section 10(d) of Public Law 92-463, the meeting of the General Research Support Program Advisory Committee will be closed to the public on October 9 from 1:30 p.m. to 5:00 p.m. and on October

10, from 9:00 a.m. to adjournment for the review, discussion and evaluation of individual initial pending, supplemental and renewal grant applications. The closed portions of the meeting involve solely the internal expression of views and judgments of committee members on individual grant applications containing detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the applications.

Mr. James Augustine, Chief, Office of Science and Health Reports, Division of Research Resources, National Institutes of Health, Building 31, Room 5B39, Bethesda, Maryland 20014, telephone (301) 496-5545, will furnish rosters of committee members, a summary of the meeting, and other information pertaining to the meeting.

(Catalog of Federal Domestic Assistance Programs Nos. 13.337 and 13.375, National Institutes of Health.)

Dated: August 12, 1975.

R. W. LAMONT-HAVERS,
Acting Director,
National Institutes of Health.

[FR Doc.75-22185 Filed 8-21-75;8:45 am]

MATERNAL AND CHILD HEALTH RESEARCH COMMITTEE Notice of Meeting

Pursuant to Public Law 92-563, notice is hereby given of the meeting of the Maternal and Child Health Research Committee, National Institute of Child Health and Human Development on October 9-10, 1975, in the Landow Building, Room C-418, 7910 Woodmont Avenue, Bethesda, Maryland.

The meeting will be open to the public from 9:00 a.m. to 10:00 a.m. on October 9 to discuss general business of the Committee and reports from the Acting Deputy Director, CRMC, Program Director for Perinatal Biology and Infant Mortality Branch, Acting Program Director for Growth and Development Branch, and the Acting Executive Secretary of the Committee. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in Sections 552(b)(4), 552(b)(5), and 552(b)(6), Title 5, U.S. Code and Section 10(d) of P.L. 92-463, the meeting will be closed to the public on October 9 from 10:30 a.m. to adjournment on October 10 for the review, discussion and evaluation of individual initial pending and renewal grant applications. The closed portion of the meeting will involve solely the internal expression of views and judgments of the committee members on individual grant applications containing detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the applications.

Mrs. Marjorie Neff, Committee Management Officer, NICHD, Building 31, Room 2A04, National Institutes of Health, Bethesda, Maryland, Area Code

301, 496-1848, will provide a summary of the meeting and a roster of committee members. Dr. Sigmund E. Dragastin, Acting Executive Secretary of the Maternal and Child Health Research Committee, NICHD, Room C-716, Landow Building, National Institutes of Health, Bethesda, Maryland, Area Code 301, 496-5575, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 317, National Institutes of Health.)

Dated: August 12, 1975.

R. W. LAMONT-HAVERS,
Acting Director,
National Institutes of Health.

[FR Doc.75-22190 Filed 8-21-75;8:45 am]

MINORITY ACCESS TO RESEARCH CAREERS REVIEW COMMITTEE

Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Minority Access to Research Careers Review Committee, National Institute of General Medical Sciences on October 2-3, 1975, 9 a.m., National Institutes of Health, Building 31B, Conference Room 5. This meeting will be open to the public on October 2 from 9 a.m. to 10 a.m. for opening remarks and discussion of procedural matters. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in Sections 552(b)(4), 552(b)(5), and 552(b)(6), Title 5, U.S. Code and Section 10(d) of P.L. 92-463, the meeting will be closed to the public on October 2 from 10 a.m. to 5 p.m. and on October 3 from 9 a.m. to 5 p.m., for the review, discussion and evaluation of individual applications under the National Research Services Awards Program (42 U.S.C., 4821-1). The closed portion of the meeting involves solely the internal expression of views and judgments of such applications which contain detailed research protocols, designs and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the applications.

Mr. Paul Deming, Staff Assistant to the Director, NIGMS, Westwood Building, Room 909B, Bethesda, Maryland 20015, Telephone: (301) 496-7301 will furnish summary minutes of the meeting and a roster of committee members.

Substantive program information may be obtained from Mr. Elward Bynum, Executive Secretary, Westwood Building, Room 9A18, Bethesda, Maryland 20015, Telephone: (301) 496-7357.

(Catalog of Federal Domestic Assistance Programs 13-859, 13-860, 13-861, 13-862, 13-863, General Medical Sciences.)

Dated: August 18, 1975.

SUZANNE L. FREMEAUX,
Committee Management Officer,
National Institutes of Health.

[FR Doc.75-22191 Filed 8-21-75;8:45 am]

POPULATION RESEARCH COMMITTEE

Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Population Research Committee, National Institute of Child Health and Human Development on October 15-17, 1975, in the Landow Building, Room C-418, 7910 Woodmont Avenue, Bethesda, Maryland.

The meeting will be open to the public from 9:00 a.m. to 10:00 a.m. on October 15 to discuss the program status, new developments and projections for population research center and program project applications. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in Sections 552(b)(4), 552(b)(5), and 552(b)(6), Title 5 U.S. Code and Section 10(d) of P.L. 92-463, the meeting will be closed to the public on October 15 from 10:30 a.m. to adjournment on October 17 for the review, discussion and evaluation of individual initial pending and supplemental grant applications. The closed portion of the meeting will involve solely the internal expression of views and judgments of committee members on individual grant applications containing detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the applications.

Mrs. Marjorie Neff, Committee Management Officer, NICHD, Building 31, Room 2A-04, National Institutes of Health, Bethesda, Maryland, Area Code 301, 496-1848, will provide a summary of the meeting and a roster of committee members. Dr. William A. Sadler, Executive Secretary of the Population Research Committee, NICHD, Room C-733, Landow Building, National Institutes of Health, Bethesda, Maryland, Area Code 301, 496-6515, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.317, National Institutes of Health.)

Dated: August 12, 1975.

R. W. LAMONT-HAVERS,
Acting Director,
National Institutes of Health.

[FR Doc.75-22189 Filed 8-21-75;8:45 am]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGD 75-162]

TOWING INDUSTRY ADVISORY COMMITTEE

Notice of Open Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92-463), notice is hereby given that the Towing Industry Advisory Committee will conduct an open meeting on September 15 and 16, 1975, at the Rivergate Convention Center (foot of

Canal St.), New Orleans, La. The meeting will begin at 1 p.m. on September 15, and is expected to last all day. On September 16, the meeting is scheduled to begin at 9 a.m. and is expected to last all day.

Items to be discussed include:

1. Aids to Navigation—Western Rivers.
2. Air Pollution.
3. Visual Identification of Barges.
4. Towing Vessel Safety.
5. Tankerman Certification Rules.
6. Inspection Intervals.
7. ABS Loadline Vessels.
8. Marad Tank Barge Study.
9. Temporary Barge Repairs.
10. Design and Construction Rules for Pollution Prevention.
11. Marine Traffic Management.
12. Marine Sanitation Devices.
13. OSHA.
14. Casualty Reporting.
15. Bridge-to-Bridge Radiotelephone.
16. Review of Existing Regulations.

By notice published in the June 30, 1975, FEDERAL REGISTER (40 FR 27507), the Towing Industry Advisory Committee was renewed by the Secretary of Transportation for a two year period beginning on July 1, 1975, and terminating on July 1, 1977, to provide advice and consultation with respect to the safe operation of towing vessels and barges on the rivers, inland waters, along the coasts, and upon the oceans.

Public members of the Committee serve voluntarily, without compensation from the Federal Government, either travel or per diem.

Persons interested in attending the meeting or obtaining more information should write to: Commandant (G-CMC/82), U.S. Coast Guard, Washington, DC 20590 or call 202-426-1477.

Dated: August 8, 1975.

W. M. BENKERT,
Rear Admiral, U.S. Coast Guard,
Chief, Office of Merchant
Marine Safety.

[FR Doc.75-22282 Filed 8-21-75;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket 26943]

AEROAMERICA, INC., GAC CORP., AND MODERN AIR TRANSPORT, INC. AC- QUISITION AGREEMENT

Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a public hearing will be held in the above-entitled proceeding on September 16, 1975, at 10:00 a.m. (local time) in Room 911, Universal Building, 1825 Connecticut Avenue, N.W., Washington, D.C., before the undersigned.

Dated at Washington, D.C., August 18, 1975.

[SEAL] ALEXANDER N. ARGERAKIS,
Administrative Law Judge.

[FR Doc.75-22285 Filed 8-21-75;8:45 am]

[Docket 26310]

ACCEPTANCE AND CARRIAGE OF LIVE ANIMALS IN DOMESTIC AIR FREIGHT TRANSPORTATION**Hearing**

Notice is hereby given, pursuant to provisions of the Federal Aviation Act of 1958, as amended, that a public hearing will be held in the above-entitled proceeding on September 30, 1975, at 10 a.m. (local time) in Room 1031N, Universal Building North, 1875 Connecticut Avenue, N.W., Washington, D.C., before the undersigned.

Dated at Washington, D.C., August 18, 1975.

[SEAL] ALEXANDER N. ARGERAKIS,
Administrative Law Judge.

[FR Doc.75-22284 Filed 8-21-75; 8:45 am]

[Dockets 27573, 26494; Agreements C.A.B. 25335; C.A.B. 25334 R-1 through R-3; Order 75-8-95]

INTERNATIONAL AIR TRANSPORT ASSOCIATION**Agreement Relating to Currency Matters; Order**

Adopted by the Traffic Conferences of the International Air Transport Association and issued under delegated authority August 18, 1975.

Agreements have been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations between various air carriers, foreign air carriers, and other carriers embodied in the resolutions of the Traffic Conferences of the International Air Transport Association (IATA). The agreements were adopted by mail vote for effectiveness September 1, 1975.

The agreements would amend existing resolutions encompassing currency exchange rates and rounding-off procedures to include the Cayman Island dollar at an exchange rate of 0.85 CID = \$1.00 U.S.

Pursuant to authority duly delegated by the Board in the Board's Regulations, 14 CFR 385.14, it is not found that the following resolutions, incorporated in the agreements indicated, are adverse to the public interest or in violation of the Act:

Agreement CAB	IATA resolution
25334:	
R-1 -----	100, 200, 300 (Mail 980, 256, 451) 021b
R-2 -----	100 (Mail 981) 021bb
R-3 -----	100, 200, 300, JT12, JT23, JT31, JT123 (Mail 982, 257, 452, 869, 360, 287, 755) 023a
25335 -----	100, 200, 300, JT12, JT23, JT31, JT123 (Mail 983, 259, 453, 871, 362, 288, 757) 023b

Accordingly, it is ordered, That:

Agreements C.A.B. 25334, R-1 through R-3, and C.A.B. 25335, be and hereby are approved.

Persons entitled to petition the Board for review of this order, pursuant to the Board's Regulations, 14 CFR 385.50, may

file such petitions within ten days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period, unless within such period a petition for review thereof is filed or the Board gives notice that it will review this order on its own motion.

This order will be published in the FEDERAL REGISTER.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.75-22286 Filed 8-21-75; 8:45 am]

COMMISSION ON CIVIL RIGHTS IOWA STATE ADVISORY COMMITTEE**Agenda and Notice of Open Meeting**

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a conference meeting of the Iowa State Advisory Committee (SAC) to this Commission will convene at 9 a.m. on September 10, 1975, at the Musser Public Library, at 304 Iowa Street, 2nd Floor, Muscatine, Iowa 52761.

Persons wishing to attend this conference should contact the Committee Chairman, or the Central States Regional Office of the Commission, Room 3103 Old Federal Office Building, 911 Walnut Street, Kansas City, Missouri 64106.

The purpose of the Iowa Migrant Labor Conference is: (1) Statewide Migrant Conditions, (2) Muscatine Settled Out Migrant Conditions.

This meeting will be conducted pursuant to the Rules and Regulations of the Commission.

Dated at Washington, D.C., August 19, 1975.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee
Management Officer.

[FR Doc.75-22195 Filed 8-21-75; 8:45 am]

MICHIGAN STATE ADVISORY COMMITTEE**Agenda and Notice of Open Meeting**

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Michigan State Advisory Committee (SAC) to this Commission will convene at 10 a.m. and end at 4 p.m. on September 13, 1975, at Parlor F, Detroit Heritage Hotel, 1565 Washington Blvd., Detroit, Michigan 48226.

Persons wishing to attend this meeting should contact the Committee Chairperson or the Midwestern Regional Office of the Commission, Room 3251, 230 South Dearborn Street, Chicago, Illinois 60604.

The purpose of this meeting is to: (1) Discuss draft of Model Cities phase-out hearing report, (2) Discuss preliminary data for next community development hearing, (3) Receive report of national SAC Chairpersons conference, (4) Public participation (if requested), (5) Other old and new business.

Public participation is invited during that portion of the meeting designated for that purpose by the Chairperson. Written statements are welcome, before or after the meeting, and may be sent to either Chairperson Terry at 163 Madison, Detroit, Michigan 48226, or to the Midwestern Regional Office. Oral statements may be made during the meeting by making arrangements with the Chairperson or staff in advance.

This meeting will be conducted pursuant to the Rules and Regulations of the Commission.

Dated at Washington, D.C., August 19, 1975.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee
Management Officer.

[FR Doc.75-22196 Filed 8-21-75; 8:45 am]

NEW YORK STATE ADVISORY COMMITTEE**Agenda and Notice of Open Meeting**

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the New York State Advisory Committee (SAC) to this Commission will convene at 3 p.m. to 5 p.m. on September 17, 1975, at Phelps Stokes Inc., 10 E 87 Street, New York, New York.

Persons wishing to attend this meeting should contact the Committee Chairman, or the Northeastern Regional Office of the Commission, Room 1639, 26 Federal Plaza, New York, New York 10007.

The purpose of this meeting is to discuss subcommittee report of the Sex Discrimination Subcommittee.

This meeting will be conducted pursuant to the Rules and Regulations of the Commission.

Dated at Washington, D.C., August 19, 1975.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee
Management Officer.

[FR Doc.75-22197 Filed 8-21-75; 8:45 am]

NEW YORK STATE ADVISORY COMMITTEE**Agenda and Notice of Open Meeting**

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the New York State Advisory Committee (SAC) to this Commission will convene at 4 p.m. to 6 p.m. on September 17, 1975, Phelps Stokes Fund, 10 E. 87 Street, New York.

Persons wishing to attend this meeting should contact the Committee Chairman, or the Northeastern Regional Office of the Commission, Room 1639, 26 Federal Plaza, New York, New York 10007.

The purpose of this meeting is to plan for the coming year's activities and progress reports on continuing projects.

This meeting will be conducted pursuant to the Rules and Regulations of the Commission.

Dated at Washington, D.C., August 19, 1975.

ISAIAH T. CRESWELL, JR.,
Advisory Committee
Management Officer.

[FR Doc.75-22198 Filed 8-21-75; 8:45 am]

OKLAHOMA STATE ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Oklahoma State Advisory Committee (SAC) to this Commission will convene at 6 p.m. on September 12, 1975 and at 5 p.m. on September 13, 1975, at the Hilton Inn West 405 S. Meridian Street (Gold Room), Oklahoma City, Oklahoma 73108.

Persons wishing to attend this meeting should contact the Committee Chairperson, or the Southwestern Regional Office of the Commission, Room 231, New Moore Building, 106 Broadway, San Antonio, Texas 78205.

The purpose of this meeting is to Report from Subcommittee on Employment; Planning for other Subcommittee Meetings and Activities for Entire SAC.

This meeting should be conducted pursuant to the Rules and Regulations of the Commission.

Dated at Washington, D.C., August 19, 1975.

ISAIAH T. CRESWELL, JR.,
Advisory Committee
Management Officer.

[FR Doc.75-22199 Filed 8-21-75; 8:45 am]

COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SE- VERELY HANDICAPPED

PROCUREMENT LIST 1975

Notice of Proposed Additions

Notice is hereby given pursuant to Section 2(a)(2) of Public Law 92-28; 85 Stat. 79, of the proposed addition of the following commodities and service to Procurement List 1975, November 12, 1974 (39 FR 39964).

Class 7110

Bookcase
7110-00-290-0368
7110-00-973-5127

Class 7195

Costumer
7195-00-132-6642

Class 7110

Blackboards, Portable
7110-00-132-6651
7110-00-843-7916

Class 8465

Cover, Water Canteen
8465-00-118-4956

Industrial Class 7641

Furniture Rehabilitation
Fairbanks, Alaska plus 80-mile radius in-
cluding Fort Wainwright,
Eielson Air Force Base, Alaska.

Comments and views regarding these proposed additions may be filed with

the Committee not later than September 22, 1975. Communications should be addressed to the Executive Director, Committee for Purchase from the Blind and Other Severely Handicapped, 2009 Fourteenth Street North, Suite 610, Arlington, Virginia 22201.

This notice is automatically cancelled six months from the date of this FEDERAL REGISTER.

By the Committee.

E. R. ALLEY, JR.,
Acting Executive Director.

[FR Doc.75-22201 Filed 8-21-75; 8:45 am]

CONSUMER PRODUCT SAFETY COMMISSION

SWIMMING POOL WATER SLIDES

Extension of Period for Publishing a Proposed Consumer Product Safety Standard

The purpose of this notice is to extend the period in which the Consumer Product Safety Commission must publish a rule proposing a consumer product safety standard for swimming pool water slides or a notice withdrawing the notice of proceeding.

By notice in the FEDERAL REGISTER of October 24, 1974 (39 FR 37804), the Commission commenced a proceeding under section 7 of the Consumer Product Safety Act (15 U.S.C. 2056) for the development of a recommended consumer product safety standard applicable to swimming pool water slides. On January 6, 1975, the Commission accepted the offer of the National Swimming Pool Institute to develop a recommended standard and published a notice in the FEDERAL REGISTER on January 21, 1975 (40 FR 3331), announcing the acceptance. Section 7(e)(3) of the Act (15 U.S.C. 2056 (e)(3)) provides that the Commission may extend the development period if good cause is shown and the reasons for such extension are published in the FEDERAL REGISTER. The Commission, for good cause shown (40 FR 3331), allowed NSPI a period of 120 days from January 6, 1975, the day its offer to develop a standard was accepted, to develop the recommended standard. This action amounted to an extension of 44 days in the development period in that it allowed the recommended standard to be submitted on May 8, 1975, 194 days after the notice of proceeding was published in the FEDERAL REGISTER rather than 150 days as specified in the Act.

On April 25, 1975, NSPI requested that the Commission extend the development period until May 30, 1975, to enable the project engineer to provide the development committee with more detailed analysis and rationale of problems related to paraplegia, quadriplegia, child drowning, and economic impact. A copy of NSPI's request for extension is available for review in the Office of the Secretary of the Commission. On May 1, 1975, the Commission determined that the reasons provided by NSPI for requesting an extension of time presented good cause for extending the time for development of the swimming pool water slide standard

to May 30, 1975. A notice announcing the extension was published in the FEDERAL REGISTER of May 13, 1975 (40 FR 20849).

The May 13, 1975, FEDERAL REGISTER notice also extended for 67 days (the same period for which the extensions for the development were granted), the time in which the Commission must publish a proposed standard or withdraw the notice of proceeding. That period ended on July 31, 1975.

On May 30, 1975, the Consumer Product Safety Commission received the standard developed by the National Swimming Pool Institute. The technical rationale supporting this proposal contained a complex mathematical model of the underwater trajectory of people descending through water from a swimming pool slide. The Commission staff initiated an evaluation program including a review of the mathematical model and verification testing of the water performance tests.

On July 31, 1975, the Commission determined that the recommended standard submitted by NSPI should, with some changes, be proposed in the FEDERAL REGISTER for public comment. The staff was instructed to make changes and to prepare the standard for publication. It is anticipated that a standard will be ready for proposal in the FEDERAL REGISTER on or about September 30, 1975. Accordingly, the Commission hereby extends the period in which it must publish a proposed standard or withdraw the Notice of Proceeding by 61 days, or until September 30, 1975. This period will allow the Commission staff sufficient time to make necessary changes in the standard and afford the Commission an opportunity to give the standard a final review. This period may be further extended by a notice published in the FEDERAL REGISTER stating good cause therefor.

Dated: August 18, 1975.

SADYE E. DUNN,
Secretary, Consumer Product
Safety Commission.

[FR Doc.75-22193 Filed 8-21-75; 8:45 am]

COUNCIL ON ENVIRONMENTAL QUALITY

RECEIPT OF ENVIRONMENTAL IMPACT STATEMENTS

Notice of Availability

Environmental impact statements received by the Council on Environmental Quality from August 11 through August 15, 1975. The date of receipt for each statement is noted in the statement summary. Under Council Guidelines the minimum period for public review and comment on draft environmental impact statements is forty-five (45) days from this FEDERAL REGISTER notice of availability. (October 6, 1975) The thirty (30) day period for each final statement begins on the day the statement is made available to the Council and to commenting parties.

Copies of individual statements are available for review from the originating

agency. Back copies will also be available at cost from the Environmental Law Institute, 1346 Connecticut Avenue, Washington, D.C. 20036.

DEPARTMENT OF AGRICULTURE

Contact: Dr. Fowden G. Maxwell, Coordinator of Environmental Quality Activities, Office of the Secretary, U.S. Department of Agriculture, Room 359-A, Washington, D.C. 20250, (202) 447-3965.

FOREST SERVICE

Draft

Renewable Resource Program, 1977 to 2020, August 15: The statement contains eight alternatives for a long-range Renewable Resource Program that have been developed, described, and evaluated. Each program provides for the protection, management, and development of the National Forest System, including forest development roads and trails, for cooperative Forest Service programs, and for research. A discussion of environmental impact and adverse environmental effects is included for each alternative. (ELR Order No. 51218.)

Whiskeytown-Shasta-Trinity National Recreation Area, Shasta and Trinity Counties, Calif., August 12: The statement concerns a proposed land use plan for the two units of the Whiskeytown-Shasta-Trinity National Recreation Area of Shasta-Trinity National Forest. The plan emphasizes recreation values, as mandated by the legislation which established the National Recreation area. Timber harvesting may be conducted only if it does not impair scenic values of the N.R.A., and the small amount of the forage resource will be reserved for recreation and wildlife use. The plan will require development of facilities such as campgrounds, trailer courts, marinas, cabins, resorts, and commercial facilities, and visitor use will add to water, air and soil pollution. (ELR Order No. 51201)

DEPARTMENT OF DEFENSE

ARMY

Contact: Mr. George A. Cunney, Jr., Acting Chief, Environmental Office, Directorate of Installations, Office of the Deputy Chief of Staff for Logistics, Washington, D.C. 20310, (202) OX 4-4269.

Draft

White Sands Missile Range, N. Mex., August 14: The statement concerns the renewal of a Special-Use Permit to allow the White Sands Missile Range test and recovery operations to continue on 74,849 acres of the White Sands National Monument. The use of the western half of the Monument for missile impacts and the utilization of air space above the Monument sometimes necessitates evacuation during scheduled mission, and although recovery efforts are made, the operations result in some adverse impacts. (ELR Order No. 51212.)

ARMY CORPS

Contact: Mr. Francis X. Kelly, Director, Office of Public Affairs, Attn: DAEN-PAP, Office of the Chief of Engineers, U.S. Army Corps of Engineers, 1000 Independence Avenue, SW., Washington, D.C. 20314, (202) 693-6861.

Draft

Port of Redwood City Levee Project, San Mateo County, Calif., August 11: Proposed is the construction of a protective levee on land owned by the Port of Redwood City. The purpose of the levee is to protect Port land from periodic tidal flooding and to contain maintenance dredging spoils from Redwood Creek. Approximately 32,000 cubic yards of borrow material will be used in levee con-

struction. Adverse impacts include those resulting from the permanent change of biological conditions and land use change in the area. (San Francisco District). (ELR Order No. 51200.)

Logjam Study, Wabash River, Adams County, Ind., August 11: The project includes work to remove approximately 20 logjams of various sizes on an eight mile reach of the Wabash River in Adams County, Indiana. Also, a channel enlargement about 300 feet long to remove small trees and sediment is included. Disposal of debris will be accomplished by disposing of the material outside the 100-year flood plain. Reducing flooding above Geneva will cause more water to reach downstream areas and could contribute to flooding in those areas. Construction disruption will result. (Louisville District). (ELR Order No. 51189.)

Cordell Hull Dam and Reservoir, Disposal, Jackson County, Tenn., August 11: The action would involve selling about 65 acres of Federally-owned land to the Gainesboro Port Authority, a legally constituted entity of the State of Tennessee, for the purposes of developing a public port and industrial facilities. Adverse effects upon air and water quality will depend upon types of effluents discharged through the sewage treatment plant and contained in storm water runoff. Construction disruption will result. (Nashville District). (ELR Order No. 51198.)

DEPARTMENT OF COMMERCE

Contact: Dr. Sidney R. Galler, Deputy Assistant Secretary for Environmental Affairs, Department of Commerce, Washington, D.C. 20230, (202) 967-4335.

Draft

Key Largo Coral Reef Marine Sanctuary, Fla., August 14: Proposed is the establishment of a recreational and esthetic area encompassing corals and associated flora and fauna under Title III of the Marine Protection, Research and Sanctuaries Act of 1972. The area will be managed to protect and conserve the coral and coral reef ecosystems, to regulate the uses of the sanctuary, and to provide opportunity for recreation. Users of the area will be subject to regulation and some activity, such as spear fishing and souvenir collecting, will be precluded. (ELR Order No. 51215.)

FEDERAL ENERGY ADMINISTRATION

Contact: Mr. Ernest A. Sligh, Director, Environmental Impact Division, Federal Energy Administration, New Post Office Building, 12th and Pennsylvania Avenue, NW., Washington, D.C. 20461, (202) 961-6214.

Draft

Electric Power Facility Construction Incentives Act, August 15: The statement concerns enactment of The Electric Power Facility Construction Incentive Act of 1975 to provide for the expansion of electric power facilities other than petroleum and natural gas fueled generating facilities. The act would reduce the costs of construction for electric utility property through changes in the investment credit and the allowance for amortization and depreciation and by encouraging investment in electric utilities. There will be long-term increase in electrical consumption and coal usages as a result of the legislation, and the adverse effects associated with burning coal. (ELR Order No. 51219.)

FEDERAL POWER COMMISSION

Contact: Dr. Richard F. Hill, Acting Advisor on Environmental Quality, 441 G Street, NW., Washington, D.C. 20426, (202) 386-6084.

Draft

Southern Natural Pipeline System Curtailment, August 13: The action consists of FPC's

analysis of two permanent curtailment plans for the Southern Natural Pipeline System. The plan will result in increased use of coal and oil to replace the curtailed natural gas and the associated cost increases, and increased pollution in the form of sulfur dioxide and particulates. Alternatives considered in the statement are unregulated curtailment new sources of gas supplies. Reference is made to the fact that rate structure and deregulation are not included as alternatives to curtailment. (ELR Order No. 51205.)

Cities Service Pipeline System Curtailment, August 13: The statement consists of FPC's analysis of one permanent curtailment plan for the Cities Service Pipeline System. Environmental impacts resulting from curtailment are: the increased use of coal and oil to replace the curtailed gas and the associated cost increases and increased pollution in the form of sulfur dioxide and particulates. The statement also includes two alternatives: unregulated curtailment and new sources of gas supplies. Reference is made to the fact that the structure and deregulation are not included as alternatives. (ELR Order No. 51203.)

GENERAL SERVICES ADMINISTRATION

Contact: Mr. Andrew E. Kauders, Executive Director of Environmental Affairs, General Services Administration, 18th and F Streets, NW., Washington, D.C. 20405, (202) 343-4161.

Final

U.S. Courthouse and Federal Building, Broward County, Fla., August 14: Proposed is the construction of a Federal Building and Courthouse with parking facility in Fort Lauderdale, Florida. The cost of the project, including site acquisition, design, construction, and inspection will be about \$19.1 million. The site has not yet been selected. The project will provide a total area of 218,295 square feet. Construction disruption will result. Comments made by: EPA, DOC, HEW, USDA, DOI, State and local agencies. (ELR Order No. 51213.)

Federal Office Building, Huron, Beadle County, S. Dak., August 11: Proposed is the construction of a 5-story Federal Office Building containing 72,000 occupiable square feet of space. The total project will cost \$6,819,000. Construction disruption will result. Comments made by: CEQ, AHP, COE, HUD, EPA, USDA, DOC, DOI. (ELR Order No. 51196.)

DEPARTMENT OF HUD

Contact: Mr. Richard H. Broun, Director, Office of Environmental Quality, Room 7258, 451 7th Street, SW., Washington, D.C. 20410, (202) 755-6308.

Draft

Hutchinson's Green Mountain Village Development, Jefferson County, Colo., August 13: The statement concerns approval of FHA mortgage insurance for Hutchinson's Green Mountain Village—A Planned Development. The 1008-acre, 5008-unit development will provide housing for middle-income families. Adverse impacts include: the alteration of existing plant and animal communities; the increased load on the Lakewood and Denver metropolitan region infrastructure, particularly the solid waste disposal and transportation components; and increased automobile generated pollutants. (ELR Order No. 51207.)

Section 104(h). The following are Community Development Block Grant statements prepared and circulated directly by applicants pursuant to section 104(h) of the 1974 Housing and Community Development Act. Copies may be obtained from the office of the appropriate local chief executive. (Copies are not available from HUD.)

Draft

Dangerous Buildings and Demolition Program, Kansas and Missouri, August 13: The statement concerns a program to demolish dangerous buildings in Kansas City. Adverse impacts include: traffic congestion, increase in ambient noise level, increase in soot generation, loss of cover vegetation, erosion, sedimentation and siltation, and compaction and settling. (ELR Order No. 51210.)

DEPARTMENT OF INTERIOR

Contact: Mr. Bruce Blanchard, Director, Environmental Project Review, Room 7260, Department of the Interior, Washington, D.C. 20240. (202) 343-3891.

BUREAU OF LAND MANAGEMENT

Final

OCS Leasing, Offshore Southern California, California, August 15: The statement concerns the proposed leasing of 297 tracts (1,554.815 acres) of Outer Continental Shelf lands in five general areas offshore Southern California. The sale, scheduled tentatively for the summer of 1975, would lease tracts from 5 meters to 750 meters in depth. All tracts offered pose pollution risk to the environment through accidental and chronic oil spillage. Also, platform development, if permitted, will cause degradation of the visual environment (5 volumes). Comments made by: EPA, DOC, DOD, USCG, FEA, ERDA, DOI, State agencies. (ELR Order No. 51220.)

BUREAU OF SPORTS FISHERIES AND WILDLIFE

Final

White River National Wildlife Refuge, Desha County, Ark., August 11: The statement refers to the proposed legislative designation of 1000 acres of the Refuge as wilderness within the National Wilderness Preservation System. The refuge provides habitat for Canada Geese and other migratory waterfowl. Management options would be precluded by the action. Comments made by: USDA, DOI, Arkansas State Clearinghouse. (ELR Order No. 51192.)

NATIONAL PARK SERVICE

Draft

Zion Master Plan, Zion National Park, Washington, Iron, and Kane Counties, Utah, August 13: Proposed is a master plan for the management and use of Zion National Park which provides for increased public enjoyment of park experiences, with reduced impact on park resources. The plan would shift overnight lodging out of the park and provide for a study for public transportation in Zion Canyon Corridor. The park boundary would be modified to add 2.39 acres in one place and delete 8.13 acres in another place, and 3658 acres of private inholdings will be acquired. Implementation of the plan will result in reduced visitor options, tax losses to the government, and socio-economic effects on towns adjacent to the park. (ELR Order No. 51208.)

BUREAU OF OUTDOOR RECREATION

Draft

Proposed Oregon National Historic Trail, August 11: The statement concerns Federal legislation that would designate the historic route of the Oregon Trail from Independence, Missouri, to Oregon City, Oregon as a component of the National Trails System, within the new category of National Historic Trails and Travelways, and establish trail segments and a travelway for public use. Increased public use would result in increased damage to soils, vegetation, historic remnants, and artifacts. Acquisition along high-potential route segments will ultimately total approximately 3,700 acres. (ELR Order No. 51188.)

TENNESSEE VALLEY AUTHORITY

Contact: Dr. Peter Krenkel, Director of Environmental Planning, 720 Edney Building, Chattanooga, Tenn. 37401, (615) 755-2002.

Draft

Policies Relating to Electric Power Rates, August 11: This statement discusses TVA's policies relating to the making of electric power rates in effect throughout the Tennessee valley region and parts of Alabama, Georgia, Kentucky, Mississippi, North Carolina, and Virginia. TVA proposes to continue to follow its basic long-run policies of providing an ample supply of electric power at rates which reflect as nearly as practicable the price of providing power to each class of consumers. The statement indicates no adverse environmental effects. (ELR Order No. 51199.)

DEPARTMENT OF TRANSPORTATION

Contact: Mr. Martin Convisser, Director, Office of Environmental Affairs, 400 7th Street, SW., Washington, D.C. 20590, (202) 426-4357.

FEDERAL HIGHWAY ADMINISTRATION

Draft

Federal-Aid Highway Act of 1975, August 11: The recommended Federal-Aid Highway Act of 1975 proposes continuation of the current program with changes in the funding of highway construction. It gives emphasis to the early completion of the Interstate Highway System, and recognizes the primary State and local interest in other highway systems. Adverse impacts include residence and business displacements, increased air pollution from automobile emissions, and undesirable social effects from economic growth. (ELR Order No. 51194.)

State Routes 41 and 180, Fresno, Fresno County, Calif., August 11: The project consists of construction of a freeway-expressway system, within the urban area of Fresno, California, to replace existing State Routes 180 and 41. The new routes will be on entirely new alignments, forming a circulation triangle around the Central Business District with distribution links reaching into the northern and eastern sections of the city. The project will require the relocation of businesses and families and the disruption of neighborhood stability. (ELR Order No. 51187.)

Harbor Boulevard, Oxnard, Ventura County, Calif., August 14: The project consists of the widening of Harbor Boulevard between West Fifth Street and Channel Islands Boulevard, a distance of 1.65 miles, from the existing two-lane to a four-lane controlled limited roadway, within the limits of the City of Oxnard, California. Adverse impacts of the project include: the encroachment into remnant sand dunes, increased air pollution during construction, increased demand on Water District, and noise impacts on existing residences. (ELR Order No. 51217.)

U.S. Highway 12, Lewiston, Nez Perce, Idaho County, August 13: The proposed project involved the improvement to 6 lanes of 1.5 miles of US Highway 12 through the City of Lewiston, Idaho, from the Snake River to the Clearwater River. Adverse impacts include the acquisition of right-of-way, the displacement of up to 16 homes and 36 businesses, temporary construction disruption, and increased noise levels adjacent to the project. (ELR Order No. 51209.)

Louisa-Fort Gay Bridge, Kentucky and West Virginia, August 11: Proposed is the replacement of the existing Louisa-Fort Bay bridge and its approaches. The bridge will span the Lebisa and Tug Forks of the Big Sandy River between Louisa, Kentucky and

Fort Gay, West Virginia. The project may displace as many as 2 businesses and 29 families. A section 4(f) statement is included concerning a National Register site. (ELR Order No. 51191.)

Salem-Beverly Bridge, Bridge Street By-pass, Essex County, Mass., August 11: The statement concerns the construction of a new Beverly-Salem Bridge and the Bridge Street By-pass of the Salem Peabody Connector Route. The number of residence and business displacements varies with alternative. A 4(f) statement is included concerning Curtis Park. (ELR Order No. 51190.)

New Hampshire Route 101, Milford, Hillsborough County, N.H., August 11: Proposed is the construction of a two-lane roadway to form the final section of the Amherst-Milford by-pass from N.H. Route 13 to existing N.H. 101 in the vicinity of Jones Crossing, a length of 3.8 miles. The project will require the acquisition of approximately 140 acres of land and the relocation of one business. Other adverse impacts include the increased noise levels adjacent to the proposed route and the intrusion upon conservation areas, wetland zones, and wildlife habitat. (ELR Order No. 51193.)

U.S. 321, Blowing Rock to Boone, Watauga County, N.C., August 12: Proposed is the improvement of a 5.3-mile segment of U.S. 321 to four lanes. If the alternative to widen the existing roadway is selected, 4 homes and 3 businesses will be displaced. If the alternative to construct the section on an entirely new location is selected, 15 homes will be displaced. A 4(f) statement is included concerning the Moses H. Cone Memorial Park. (ELR Order No. 51202.)

Final

U.S. 40, Steamboat Springs, Routt County, Colo., August 14: The proposed project is the re-construction of a 10-mile segment of U.S. 40. The project will require an unspecified amount of land and will displace 2 or 3 families. A section 4(f) review will be filed to obtain one acre of land from Soda Spring. The facility will traverse a river causing an increase in siltation, and erosion. Increases in air pollution will occur. Comments made by: USDA, EPA, COE, State and local agencies. (ELR Order No. 51214.)

Marian Road Improvement, Fulton and DeKalb Counties, Ga., August 13: Proposed is the improvement of a 1-mile segment of Marian Road from Piedmont Road in Fulton County on the west to Buford Highway in DeKalb County on the east including a bridge over the North Fork of Peachtree Creek. The project will displace 35 persons and two businesses. Construction disruption will result. Comments made by: USDA, HUD, State and local agencies. (ELR Order No. 51211.)

U.S. 69, Bourdon and Linn Counties, Kans., August 13: The project extends from the intersection of US-54 and US-69 at the north edge of Fort Scott in Bourbon County, north approximately 15 miles to just north of Prescott in Linn County. The proposed improvement would include a four-lane divided freeway facility with full controlled access. Adverse impacts include the loss of 120 acres of land and the displacement of an unspecified number of people. Comments made by: USDA, COE, HEW, EPA, DOI, OEO, DOC. (ELR Order No. 51204.)

County Road from State Highway 30, Logan County, N. Dak., August 11: Proposed is the construction of a project from State Highway 30 8 miles north of Lehr easterly 4.8 miles. The construction will improve the existing roadway section profile and alignment. The project involves the acquisition of 1.62 acres of right-of-way consisting of a 42' strip along the border of a fee tract of the Fish and Wildlife Service. A supplement

is also included concerning grading and aggregate surfacing on the road. Comments made by: EPA, DOI, USDA, COE. (ELR Order No. 51195.)

State Road 46, Cascade Lakes Highway, Deschutes County, Oreg., August 13: The proposed project involves the improvement and widening a 10.9 mile segment of the 2-lane Oregon Forest Highway Route 46, Cascade Lakes Highway, from Bachelor Butte to Elk Lake. Adverse impacts include the permanent loss of 40 acres of land for flora and fauna habitat and temporary effects normally associated with construction (179 pages). Comments made by: USDA, COE, DOI, EPA, State and local agencies and organizations. (ELR Order No. 51206.)

State Road 32, Appalachian Corridor "S," Grainger County, Tenn., August 11: Proposed is the construction of a 8.09 mile segment of State Highway 32 as the continuation of the Appalachian Corridor "S." The project begins on the western side of Indian Creek and continues across Clinch Mountain to Briar Fork Creek. The project will result in the displacements of 16 residences and 1 business, loss of natural resources (forest land) due to increased land demands for highway right-of-way, and some increases in noise and air pollution in future years as a result of increased traffic volumes. Comments made by: (ELR Order No. 51197.)

U.S. COAST GUARD

Draft

LORAN-C Station, Seneca County, N.Y., August 14: Proposed is a project to expand LORAN-C (Long Range Aid to Navigation) coverage to include the northeast Coastal Confluence Zone and the Great Lakes. Two sites are being considered: Seneca Army Depot in Romulus Township, and a privately owned site in Varick Township. Construction of a LORAN-C station at either site would disrupt existing general aviation operations, and intrude upon the visual aesthetics of the area. The antennas may cause electromagnetic interference with AM radios. (ELR Order No. 51216.)

GARY L. WIDMAN,
General Counsel.

[FR Doc.75-22192 Filed 8-21-75; 8:45 am]

ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION

TOKAMAK FUSION TEST REACTOR FACILITIES, PRINCETON, N.J.

Availability of Final Environmental Statement

Notice is hereby given that a Final Environmental Statement, Tokamak Fusion Test Reactor Facilities, Princeton, New Jersey (ERDA-1544) was issued July 28, 1975, pursuant to the Energy Research and Development Administration's (ERDA) implementation of section 102 (2) (c) of the National Environmental Policy Act of 1969. The Statement was prepared in support of legislative action related to the ERDA request for appropriation of funds for Fiscal Year 1976 for the project.

Copies of the Final Statement are available for public inspection in the Energy Research and Development Administration's Public Document Rooms at 1717 H Street, N.W., Washington, D.C., Kirtland Air Force Base East, Albuquerque, New Mexico; Chicago Operations Office, 9500 South Cass Avenue,

Argonne, Illinois; Idaho Operations Office, 550 Second Street, Idaho Falls, Idaho; Nevada Operations Office, Las Vegas, Nevada; Oak Ridge Operations Office, Federal Building, Oak Ridge, Tennessee; Richland Operations Office, Federal Building, Richland, Washington; San Francisco Operations Office, 1333 Broadway, Oakland, California; and Savannah River Plant, Aiken, South Carolina. Copies have also been furnished to those who commented on the draft environmental statement that was issued in February 1975 as WASH-1544.

A limited number of single copies are available for distribution by the Technical Information Center, P.O. Box 62, Oak Ridge, Tennessee 37830 (615) 483-8611, Extension 34672. The Statement is also available from the National Technical Information Service, Springfield, Virginia 22161.

Dated at Germantown, Maryland, this 28th day of July 1975.

For the Energy Research and Development Administration.

JAMES L. LIVERMAN,
Assistant Administrator for
Environment and Safety.

[FR Doc.75-22234 Filed 8-21-75; 8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 417-5]

MICHIGAN

Marine Sanitation Device Standard

On April 25, 1975, notice was published that the State of Michigan had petitioned the Administrator, Environmental Protection Agency, by regulation, to completely prohibit the discharge from a vessel of any sewage (whether treated or not) into the Michigan waters of Lakes Michigan, Huron, Superior, Erie, and St. Clair, all waterways connected thereto, and all inland lakes. The petition was filed pursuant to section 312 (f) (4) of Pub. L. 92-500 (40 F.R. 18217, April 25, 1975).

Comments in favor of the petition were received from the League of Women Voters of Michigan. Comments in opposition to the petition were received from the U.S. Coast Guard, National Boating Federation, Great Lakes Cruising Club, Boating Pollution Control Committee, Boat Owners Association of the United States, Lake Carriers' Association, Interlake Yachting Association, United States Great Lakes Shipping Association, The Lauderdale Marina, Inc. of Fort Lauderdale, Florida, and a Port Huron, Michigan citizen.

The petition from the State of Michigan and all comments received have been carefully considered by the Environmental Protection Agency. The petition is denied on the ground that no substantiating information has been submitted showing that the designated waters require water quality protection greater than that afforded by the Federal standard.

The Environmental Protection Agency supports fully the complete prohibition of the discharge from all vessels of any sewage, whether treated or not, into waters where it can be determined that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available, or into specified waters where the protection and enhancement of water quality requires such action. With regard to section 312(f) (4) of the Act, under which this petition was submitted, the legislative history indicates that Congress intended by the words, "specified waters" only to protect sensitive waters within a State such as areas for drinking water supply, shellfish beds and for primary water contact sports. It is not believed that the intent of this subsection was to achieve the type of blanket coverage requested, especially in view of the lack of information to justify the necessity for such coverage.

During the course of the comment period pursuant to this petition, the Michigan Department of Natural Resources submitted information including shore-side facilities to service vessel holding tanks. Should the State of Michigan re-submit a petition under section 312(f) (3) of Pub. L. 92-500, or for specified waters under section 312(f) (4), the information and comments filed pursuant to the April 25 notice will be incorporated by reference into any such petition.

Dated: August 18, 1975.

RUSSELL E. TRAIN,
Administrator.

[FR Doc.75-22300 Filed 8-21-75; 8:45 am]

[FRL 412-7]

NEW HAMPSHIRE

Marine Sanitation Device Standard

On May 19, 1975, notice was published that the State of New Hampshire had petitioned the Administrator to concur with the State's intent to prohibit the discharge from all vessels of any sewage, whether treated or not, into all inland waters of the State plus tidal estuaries, except for a portion of the Piscataqua River estuary and except for those portions of the coastal waters which are open to the Atlantic Ocean. The petition was filed pursuant to section 312(f) (3) of Pub. L. 92-500 (40 F.R. 21769, May 18, 1975).

On May 28, the State of New Hampshire held a public hearing relating to the petition and on the day following amended the petition to include the inland surface waters of the State only and to exclude tidal estuaries from the vessel waste discharge prohibition.

Following an examination of the petition and supporting information, and a consideration of all comments received pursuant to the May 19 FEDERAL REGISTER notice, I have determined that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available

for the inland surface waters of New Hampshire, excluding all tidal waters. This determination is made pursuant to section 312(f) (3) of Pub. L. 92-500.

Dated: August 18, 1975.

RUSSELL E. TRAIN,
Administrator.

[FR Doc. 75-22299 Filed 8-21-75; 8:45 am]

[FRL 419-5; OPP-66012]

RED STAR POISON CO.

Intent To Cancel Pesticide Registration

Pursuant to section 6(b) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 984), the Environmental Protection Agency (EPA) has notified the Red Star Poison Company, Rt. 1, Box 70 E, Woodburn, OR 97071, of its intent to cancel the registration of the pesticide product "Red Star Poisoned Grain for Ground Squirrels and Mice", EPA Reg. No. 10108-3.

The EPA requested this registrant to provide efficacy data to substantiate house mouse claims on his product label. To date, the registrant has not submitted the material necessary for continued registration as specified and therefore has not fully complied with the provisions of the FIFRA.

Cancellation of this registration shall be effective at the end of 30 days from the receipt of a notice of intent to cancel by the registrant, or August 22, 1975, whichever occurs later, unless the registrant makes the necessary corrections, if possible. Within this period of time, any person adversely affected by this notice may request a hearing as provided in section 6(b) of the FIFRA and should file in accordance with the provisions of sections 164.5 and 164.20 of Part 164, Title 40 CFR, of the regulations for the enforcement of the FIFRA, an original and two copies of the document stating his objections to the Administrator's intent to cancel this registration. The request for hearings and such documents should be filed with the Hearing Clerk, Environmental Protection Agency, Room 1019, East Tower, 401 M St., SW, Washington DC 20460.

Dated: August 19, 1975.

EDWIN L. JOHNSON,
Deputy Assistant Administrator
for Pesticide Programs.

[FR Doc. 75-22298 Filed 8-21-75; 8:45 am]

[FRL 419-8; PF15]

PESTICIDE AND FOOD ADDITIVE PETITIONS

Notice of Filing

Petitions proposing the establishment of pesticide tolerances in or on certain raw agricultural commodities and the establishment of tolerances relating to food and/or feed additives have been filed with the Environmental Protection Agency (EPA). Notice is given pursuant to the provisions of Section 408(d) (1)

and 409(b) (5) of the Federal Food, Drug, and Cosmetic Act. The petitions and proposals are:

PP6F1652. Chemagro Agricultural Div., Mobay Chemical Corp., PO Box 4913, Hawthorn Rd., Kansas City MO 64120. Proposes establishment of a tolerance (40 CFR 180) for residues of 4-(methylthio)-3,5-xylyl methylcarbamate in or on the raw agricultural commodities corn (field, pop and sweet) and corn forage and fodder at 0.03 part per million (ppm). The proposed analytical method is a flame photometric gas chromatographic procedure. PM12

PP5F1641. Dow Chemical USA, PO Box 1706, Midland MI 48640. Proposes that 40 CFR 180.144 be amended to establish tolerances for combined residues of the insecticide tricyclohexyltin hydroxide and its organotin metabolites (calculated as tricyclohexyltin hydroxide) in or on grapes at 6 ppm, in eggs, liver, and kidney of poultry at 0.5 ppm, in meat and meat byproducts (excluding liver and kidney) of poultry at 0.2 ppm. Proposed analytical method is one in which the organotin is oxidized to inorganic tin which is complexed with catechol violet and measured spectrographically at 600 nm. PM13

FAP5H5094. Dow Chemical USA. Proposes that 21 CFR 123.430 be amended to establish a food additive tolerance for residues of tricyclohexyltin hydroxide and its organotin metabolites (calculated as tricyclohexyltin hydroxide) in raisins at 12 ppm. The same petition proposes amending 21 CFR 561.400 to establish a feed additive tolerance for residues in dried grape pomace at 50 ppm. PM13

PF6F1653. Dow Chemical USA. Proposes that 40 CFR 180.292 be amended to establish tolerances for residues of the herbicide picloram (4-amino-3,5,6-trichloropicolinic acid) in or on the following raw agricultural commodities: kidney of hogs and horses at 5 (ppm); green forage and straw of wheat, barley, and oats at 1 ppm; grain of wheat, barley, and oats at 0.5 ppm; liver of hogs and horses at 0.5 ppm; meat, fat, and meat byproducts (except kidney and liver) of hogs and horses at 0.2 ppm; and eggs and meat, fat, and meat byproducts of poultry at 0.05 ppm. The proposed analytical method for determining residues is one in which the sample is methylated with diazomethane to form the methyl ester of picloram. This derivative is then determined by gas chromatography using an electron capture detector. PM25

FAP6H5099. Dow Chemical USA. Proposes that 21 CFR 123.350 be amended by establishing tolerances for residues of picloram (4-amino-3,5,6-trichloropicolinic acid) in milled fractions (except flour) of wheat, barley, and oats at 1 ppm, and in flour of wheat, barley, and oats at 0.1 ppm, resulting from application of the herbicide to growing wheat, barley, and oats. PM25

PP6F1654. E. I. du Pont de Nemours and Co., Wilmington DE 19898. Proposes that 40 CFR 180.253 be amended to establish a tolerance for residues of methomyl (S-methyl N-[methylcarbamoyl]oxy] thioacetimidate) in or on the raw agricultural commodity asparagus at 2 ppm. The proposed analytical method for the determination of methomyl residues is a microcoulometric gas chromatographic procedure. PM12

FAP6H5100. Uniroyal Chemical, Div. of Uniroyal Inc., Amity Rd., Bethany CT 06525. Proposes that 21 CFR 123.370 be amended to establish a food additive tolerance for residues of propargite [2-(p-tert-butylphenoxy) cyclohexyl 2-propynyl sulfite] in or on tea (dried or manufactured) at 5 ppm resulting from application to growing tea. PM13

FAP6H5101. Uniroyal Chemical, Div. of Uniroyal Inc., Amity Rd., Bethany CT 06525. Proposes that 21 CFR 123.410 be amended to establish a tolerance for residues of the plant growth regulator succinic acid, 2,2-dimethyl hydrazide, in tomato paste or catsup at 220 ppm, resulting from application of the plant regulator to growing tomatoes. PM25

Interested persons are invited to submit written comments on any petitions referred to in this notice to the Federal Register Section, Technical Services Division (WH-569), Office of Pesticide Programs, Environmental Protection Agency, Room 401, East Tower, 401 M St. SW, Washington DC 20460. Three copies of the comments should be submitted to facilitate the work of the agency and others interested in inspecting them. The comments should be submitted as soon as possible and should bear a notation indicating the petition number of the petition to which the comments pertain. Comments may be made at any time while a petition is pending before the Agency. All written comments filed pursuant to this notice will be available for public inspection in the office of the Federal Register Section from 8:30 a.m. to 4:00 p.m. Monday through Friday.

Dated: August 19, 1975.

HERBERT S. HARRISON,
Acting Director,
Registration Division.

[FR Doc. 75-22415 Filed 8-21-75; 8:45 am]

[FRL 419-7; OPP 00012]

PESTICIDE PROGRAMS

Economic Impact of Proposed Guidelines for Registering Pesticides in the United States

On November 27, 1974, the President issued Executive Order 11821 (39 FR 41501) which requires each agency to certify that the inflationary impact of any major proposed regulation has been evaluated. On July 3, 1975, the Environmental Protection Agency (EPA) published in the FEDERAL REGISTER (40 FR 28242) final regulations on the registration, reregistration, and classification of pesticides pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 973), hereafter referred to as the regulations, which had been proposed on October 16, 1974 (39 FR 36973). On June 25, 1975, the EPA published in the FEDERAL REGISTER (40 FR 26802) proposed Guidelines for Registering Pesticides in the United States, hereafter referred to as Guidelines. Interested persons were invited to submit comments concerning these Guidelines on or before August 27, 1975.

The Preamble to the final registration, reregistration, and classification regulations stated that EPA does not believe that these regulations constitute a "major" action necessitating an inflationary impact statement within the meaning of Executive Order 11821. This conclusion was reached after evaluating the data requirements specified in Section 162.8 of the regulations, and the fol-

lowing detailed economic analysis of the Guidelines to the regulations substantiates this statement.

Contract studies have been let by the Agency to aid in an evaluation of the economic effects of both the regulations and Guidelines. In February 1975, Arthur D. Little, Inc., of Cambridge, Massachusetts, submitted its final "Evaluation of the Possible Impact of Pesticide Legislation on Research and Development Activities of Pesticide Manufacturers", and the Development Planning and Research Associates, Inc., of Manhattan, Kansas, submitted its first draft of the "Economic Impacts of Section 3 of the Federal Insecticide, Fungicide, and Rodenticide Act, as Amended" in June 1975.

This economic analysis has been prepared on the basis of these two contract studies and independent analysis by Agency staff, and within the spirit of Executive Order 11821, it is hereby made available for public inspection and comment. All comments on this document will be considered at the same time that comments on the Guidelines for registering pesticides are being evaluated in the preparation of a final Guidelines document.

Interested persons are invited to submit written comments on this notice to the Federal Register Section, Technical Services Division (WH-569), Office of Pesticide Programs, Environmental Protection Agency, Room 401, East Tower, 401 M St., SW., Washington D.C. 20460. Three copies of the comments should be submitted to facilitate the work of the Agency and others interested in inspecting them. The comments must be received on or before September 22, 1975, and should bear the identifying notation (OPP-00012). All written comments filed pursuant to this notice will be available for public inspection in the office of the Federal Register Section from 8:30 a.m. to 4 p.m. Monday through Friday.

The Agency has developed interim guidelines for determining when an action constitutes a "major" action requiring the filing of an inflationary impact statement. These guidelines define "major" action as: actions that are likely to result in capital investment exceeding 100 million dollars or annualized costs (including capital charges) of 50 million dollars. Even with the most extreme assumptions, the economic analysis set forth below demonstrates that one-time costs are estimated to be less than half the 100 million dollar figure, and the annualized costs (both to industry and to the consumer) are substantially less than 50 million dollars. The Guidelines to the regulations, therefore, do not conform with the Agency guidelines and do not constitute a "major" action in the sense of the Executive Order.

Dated: August 20, 1975.

JAMES L. AGEE,
Assistant Administrator for
Water and Hazardous Materials.

BASIS FOR THIS ANALYSIS

Before considering the specific details of this economic impact assessment,

several crucial factors must be understood. Without an appreciation of these factors serious misapprehensions concerning the economic impact of the Guidelines may result.

First, the Guidelines represent a codification of procedures and information required for the Federal registration of a pesticide product. As is well known, registration requirements have generally increased over the years in terms of types, numbers, and sophistication of testing procedures necessary; accordingly, the costs of complying with registration requirements have also increased. Obtaining a new registration or renewal of registration would in all likelihood entail some increased cost to the applicant in October 1975 over what it would have been prior to the adoption of the registration regulations and Guidelines. Only a portion of the increment in data requirements and corresponding cost of registration, however, can be attributed to Section 3 of the amended FIFRA and the Guidelines. The economic impacts of the proposed Guidelines to the new regulations arise only from the limited number of newly imposed requirements, identified in detail below. These impacts are presented in terms of the incremental costs occasioned by complying with registration requirements just after final promulgation of the Guidelines to the regulations over the costs which would be incurred just before their promulgation.

Second, the regulation clearly distinguishes between registration and reregistration with regard to data requirements (Section 162.8). In particular, in the absence of any special indication to the contrary, the new incremental testing requirements for reregistration set forth in the Guidelines will be imposed only on pesticide active ingredients, not on individual products, and then only under specifically identified conditions. Further, the Administrator will soon publish certain conditions under which data requirements for reregistration may be waived for individual active ingredients. These factors are also reflected in the economic impact analysis described below.

Third, a review of an application for registration will be based upon certain data already on record with the Agency as well as the results of any of the newly imposed test requirements. In the case of active ingredients for which the last registration action predates the Guidelines by some time, it can be expected that occasional data deficiencies in addition to the newly imposed requirements will exist. If a review of the data on record reveals the need for data beyond that demanded by the newly imposed requirements, the submission of such additional data will be a prerequisite for reregistration. However, because the cost to the applicant for the production of such data is attributable neither to the regulations nor to the Guidelines, but rather to existing data deficiencies under previous data requirements, this cost is not included in the calculation of economic impact.

Finally, in accordance with Executive Order 11821 and OMB Circular A-107, this analysis considers the continuing impact of the new regulations and Guidelines beyond the initial reregistration process. The following considerations have been made for this purpose. Since there is no current basis for presuming that any additional new data requirements will be imposed and made part of the Guidelines in the future, future costs of new registrations are predicated on the data requirements now contained in the Guidelines. Also, since it is not now possible to know the number of new active ingredients or product registration requests to be submitted in future years, estimates used in this analysis are based on recent experience with registration applications.

ORGANIZATION OF THE ANALYSIS

The remainder of this notice consists of the Agency's assessment of the potential economic impact of the Guidelines to the regulations. Uncertainties as to the precise extent of the impact in certain areas have been taken into account in the analysis by computing ranges, lower and upper bounds, for possible impact areas.

The next section, Economic Impact, begins by estimating the effects of the Guidelines to the regulations on the pesticide industry—manufacturers of active ingredients and formulated products. Reregistrations and new registrations are treated separately. Assuming that all costs are passed through by industry, the impact on pesticide users (purchasers) is next estimated; again, it is assumed that users who can do so (for example, farmers but not householders) pass through the added costs. The resulting impacts on final consumers of pesticide products and food, and other impacts are then estimated.

ECONOMIC IMPACT

The economic impacts associated with the registration requirements implementing the amended FIFRA stem from both increased testing requirements for new registrations and reregistered products and from the production of revised labels for products to be reregistered. The burden of these costs falls initially upon the pesticide industry but will be passed on through the chain of distributors, users, and in the case of agricultural products, ultimately to the food consumer. At each stage in this process, mark-ups in price will occur, so that the net effect upon consumers will be different from the increased data and label costs. From a total societal viewpoint, the net resource impact is simply the summation of the data and label costs. The consumer faces these costs plus a series of transfer payments resulting from the market structure of the distribution and use of pesticides.

The net societal costs will be addressed first, followed by the distributional effects stemming from these cost increases.

THE COST STRUCTURE

Additional costs resulting from incremental registration requirements fall

into two major categories: One-Time Incremental Costs are all associated with the reregistration of existing products. These entail data costs falling upon producers of active ingredients and those falling upon formulators; additionally, there are costs of producing new labels for all products to be reregistered. Continuing Annual Incremental Costs consist of the cost of additional data for those new products which will be registered after implementation of the new data requirement provisions.

ESTIMATED NUMBER OF REGISTRATION AND REREGISTRATION ACTIONS

As of June 1975 there were 30,126 Federally registered pesticides. Of these, 42 percent or 12,747 consist of a single active ingredient (AI) and 58 percent or 17,379 are multi-AI products. There are also a large number of products (13,000-15,000) registered under State authority which are required by FIFRA to meet Federal standards before they are introduced into commerce. Allowing for duplications among State and Federal products and for products whose registration may be voluntarily cancelled, it is estimated that a total of 35,500 products will require reregistration action. These products contain approximately 1,400 active ingredients. Based on the number of registration actions, it is additionally estimated that 10 new active ingredients are introduced and 5,500 new registration actions (including both significant new uses of existing ingredients and amendments of existing uses) will be processed annually in the future.

COST ESTIMATES—ONE-TIME INCREMENTAL COSTS

A. Data for Active Ingredients—Reregistration

A sample of 641 active ingredients was examined to determine which types of tests would be required during the reregistration process. These figures are presented in the first column of Table 1. Any waivers of data requirements for these 641 active ingredients are taken to be representative of the total of 1,400 active ingredients.

From this sample, a projection was made of the maximum number of tests likely to be required for the four categories of tests. This is presented in the second column of Table 1. A linear projection was made from 641 sampled active ingredients to the 1,400 total active ingredients. This represents an overestimate, because the active ingredients in the sample comprise all currently registered products with food tolerances and most significant disinfectants, rodenticides, and fungicides. These sampled ingredients are active ingredients with more stringent test requirements than the remainder of active ingredients which were not included in the sample. Thus, the projected number of tests required is conservative in the upward direction.

The third column lists, in current dollars, the approximate cost of conducting the four types of tests, based on a study

performed for EPA by Development Planning and Research Associates. A range of costs is given for each test type.

The projected range of total test costs is given in the fourth column of Table 1. Aggregating over all tests, a projected range of total maximum costs is given as the last entries in the table.

The total incremental data costs for active ingredients is estimated to be be-

tween 18 and 27 million dollars, given the straight-line projection described above. Because of the characteristics of the sample of active ingredients used in this analysis, it is expected that the true figures would be substantially lower. To be conservative, however, the higher range will be used in the following analysis.

TABLE 1.—Incremental tests and costs to reregister products

	Number of active ingredients in sample requiring additional test data	Projection to maximum number of active ingredients	Approximate cost per study—1975 (in dollars)	Range of total cost (in thousands of dollars)
Teratological studies.....	149	325	6,000-8,000	1,950-2,800
Reproduction studies.....	74	161	22,000-25,000	3,542-4,025
Oncogenic studies.....	109	238	25,000-41,700	5,950-9,925
Feeding studies.....	60	131	50,000-53,300	6,550-10,912
Total cost based on maximum number of studies required.....				17,992-27,462

B. Data for Formulations—Reregistration

B. Data for Formulations—Reregistration

Data requirements for formulations are determined by the products' constituent active ingredients. In most cases, the data will be produced by the manufacturers of the active ingredients. Other registrants may make use of those data under the provisions of 3(c)(1)(D) of FIFRA, which provides for payment of reasonable compensation to the owners of registration data by registrants seeking to make use of such data. In some cases, namely where the data owner is the manufacturer of the active ingredients for widely-used proprietary products, it is likely that the owner will find it advantageous not to seek compensation from other formulators of the products, since it is the interests of the manufacturer to promote widespread sales of the active ingredient. In other cases, formulators will pay some compensation to the owner of the data.

It is difficult at this point to estimate the extent and amount of this compensation, and for the purposes of this analysis, the amounts paid are irrelevant, since they merely constitute transfer payments from one part of the pesticide industry to another. The reregistration of formulations has no net effect upon the total data costs, and Section 3(c)(1)(D) merely insures that those data costs are distributed within the industrial sector in an equitable fashion and makes it unlikely that tests on active ingredients will be duplicated. The total data costs for reregistration of products, therefore, is adequately represented by the estimates made in the previous section for active ingredients.

C. Label Costs—Reregistrations

All products that are registered will require new labels. The cost impact on the manufacturer of active ingredients and the formulator includes expenses in producing new art work, plates, and litho masters.

In the first draft of a study conducted for EPA by Development Planning and Research Associates, Inc., 17 formulators indicated that these costs would amount to approximately \$406 per product, and 4 manufacturers of active ingredients reported incremental label costs of approximately \$377. Since some products have more than one label (e.g., for different size containers) the formulators reported a total incremental label cost per product of about \$524. A label cost of \$500 per product is a reasonable estimate for all currently registered products.

Of the estimated 35,500 pesticide products, about 5,500 annually are either added or amended to include new uses, thereby requiring a new label. Thus, no more than 30,000 label changes could be attributable to the implementation of the amended FIFRA. A projection of the 5,500 annual label changes over a five-year registration period yields 27,500 voluntary label updates (assuming that each change corresponds to a separate product). So, it is possible that as few as 8,000 label changes may be directly attributable to the new regulation. With this range of 8,000 to 30,000 label changes, the incremental cost of label changes over the five-year registration period will be between \$4 million and \$15 million.

CONTINUING ANNUAL INCREMENTAL COSTS

A. Data for Active Ingredients—New Registrations

The estimation of incremental costs resulting from the implementation of the FIFRA as amended for the registration of new pesticides is a complex process. A major difficulty is that of predicting the nature of products for which a registration will be sought. The characteristics of the chemical and the proposed uses determine, to a large extent, the quantity of data needed to register a pesticide. Table 2 indicates the full range of possible incremental tests, along with the range of cost for the registration of new products. For a pesticide

requiring all the new tests, the range of added cost is between \$127,400 and \$197,500, but since it is not likely that every new product will require all the tests listed, these cost estimates are somewhat inflated.

Recent experience indicates that between 8 and 14 new active ingredients can be expected over each of the next several years, with 10 as the approximate annual average. Applying the somewhat inflated estimate for new product costs, the total continuing annual incremental costs for registrations of new active ingredients will therefore range between \$1.3 million and \$2.0 million.

TABLE 2. INCREMENTAL STUDIES AND COSTS FOR A PRODUCT CONTAINING A NEW ACTIVE INGREDIENT

Study:	Cost (1975 Dollars)
Avian Acute LD-50 or ¹	
Avian Subacute LC-50	1,000-2,000
Chronic fish residue ²	8,000-12,000
Teratological study ³	6,000-8,000
Mutagenicity study ³	15,000-25,000
Oncogenicity/feeding studies ³	75,000-125,000
Reproduction ³	22,000-25,000
Intravenous route of exposure ³	400-500
Total ⁴	127,400-197,500

¹ Avian acute data had been required up until 1971; subacute data may be required in addition to or in lieu of acute testing.

² Required of all pesticides.

³ Not required of all pesticides.

⁴ Assuming all tests are required.

B. Data for Formulations—New Registrations

As delineated in the preceding sections, the data costs for the initial registration of new products are primarily tied to the costs of producing data for their constituent active ingredients. Because of Section 3(c)(1)(D), the manufacturers of the active ingredients may be able to shift some of those costs to other formulators, but these transfers of costs do not contribute to the net economic impact of the amended FIFRA.

Some small additional data costs for the initial registration of new formulations will be incurred. These involve disposal information and re-entry data for products which contain cholinesterase-inhibiting ingredients. No estimates for the cost of this data are available. EPA estimates that there will be about 500 new products with significant new uses each year, and another 5,000 amended uses annually (which can be treated as initial registrations of new formulations). It is expected that the total annual incremental cost of data associated with new formulations will be small, with respect to the \$1.3 to \$2.0 million estimated above for active ingredients.

COST SUMMARY

The cost estimates made above are summarized in Table 3. These costs rep-

resent the entire net economic impact of the new requirements imposed by the proposed Guidelines to the regulations. The initial burden of these costs fall on pesticide registrants. The exact split of costs between formulators and manufacturers of active ingredients has not been estimated here and is, in fact, not relevant to the cost burden of society as a whole. The following section presents an analysis of the impact of the additional registration and reregistration requirements on the ultimate consumer. This impact entails additional transfer costs among different elements of society as a result of the pass-through of costs and profit margins. However, the figures in Table 3 reflect only changes in resource use imposed by the proposed Guidelines to the regulations and therefore constitute the true net effect on society.

TABLE 3. SUMMARY OF COSTS: ESTIMATED ECONOMIC IMPACTS ON MANUFACTURERS AND FORMULATORS OF NEW REGISTRATION AND REREGISTRATION REQUIREMENTS

Impact:	Estimated cost (\$ thousands)
One-time incremental costs (reregistration);	
Data costs—Active ingredients	18,000- 27,500
Data costs—Formulations	— — —
Label costs	4,000- 15,000
Total one time	22,000- 42,500
Continuing annual incremental costs (new registrations): ¹	
Data costs—Active ingredients	1,274- 1,975
Data costs—Formulations	— — —
Total continuing annual	1,274- 1,975

¹ As indicated in the relevant areas of the text, the data costs for active ingredients are an over-estimate, and the data costs for formulations are relatively minor. Given the uncertainties in projecting these future costs, it was determined that no great error would come from assuming that the over-estimate and the under-estimate cancelled each other out.

The one-time costs will be incurred over a period of a few years as the registration process proceeds; the continuing annual incremental costs, conversely, will occur each year as registrants submit data for the registration of new products. Thus, there will be an initial surge of costs totaling between \$22.0 million and \$42.5 million, along with annual costs for new registrations of between \$1.3 million and \$2.0 million. After reregistration is completed, only the continuing annual incremental costs (\$1.3 million to \$2.0 million) will be incurred.

DISTRIBUTION OF ECONOMIC IMPACTS

The total additional economic costs, as represented by the incremental test and label costs for the reregistration of old products and the registration of new

products, cause a chain of events within other sectors of society. It is assumed that formulators and manufacturers of active ingredients will pass the added costs on to the eventual pesticide user through the distribution network. For agricultural uses, it is assumed that the growers will incorporate their added pesticide costs into the price of their produce. Through the distribution process, profit margins and mark-ups on the additional costs will be collected, so that ultimately the consumer pays increased costs plus the summation of the mark-ups on these increments.

Agricultural and other pesticide uses have been split on the basis of the relative frequency of test costs. Although agricultural use pesticides account for about 59 percent of the volume of pesticides marketed in the United States, a survey of 641 active ingredients indicates that about 80 percent of all incremental tests required would be associated with agricultural pesticide products. Since test costs are the dominant part of the economic impact of the Guidelines to the regulations, 80 percent of both the one-time and continuing annual costs are estimated to fall on the agricultural sector, with the balance distributed among all other pesticide use sectors.

It is assumed that the pesticide industry will pass on the one-time incremental reregistration costs over a period of years, and it is useful to show these incremental costs on an annualized basis. Using five years¹ as the base and an interest rate of 10 percent, the one-time costs were amortized to produce an annualized wholesale value over the five-year period.

Starting with the wholesale value for the annualized one-time costs and the continuing annual new registration costs (broken down by agricultural and all other uses), 150 percent is added to reflect mark-ups through the distribution and retail steps. For agricultural use pesticides, mark-ups for food processors, wholesalers, and retailers of 3%, 5%, and 20% respectively, add further to the total cost passed on to the ultimate consumer. Many non-agricultural use products are purchased for home and garden use, and the balance (governmental, industrial, institutional, structural pest control, etc.) are activities which will eventually pass the increased costs on to the consumer. The total effect of incremental costs for agricultural and all other uses, therefore, can be assumed to be borne ultimately by the consumer sector of the economy. These impacts are displayed in Table 4.

¹ The amended Act requires that the Administrator shall cancel the registration of any pesticide at the end of five years after registration unless the registrant, or other interested person with the concurrence of the registrant, requests, in accordance with regulations prescribed by the Administrator that the registration be continued in effect.

TABLE 4.—Distribution economic impacts

	5 yr total (dollars in millions)	Annualized (dollars in millions)
One-time incremental costs (reregistration).....	22.0 -42.5	5.8 -11.2
Agricultural uses.....	17.6 -34.0	
Wholesale value.....		4.6 - 9.0
Retail markup (150 percent).....		7.0 -13.5
Markup for food processors, wholesalers, retailers (30 percent).....		3.5 - 6.7
Total impact on food prices at consumer level.....		15.1 -29.2
All other uses.....	4.4 - 8.5	
Wholesale value.....		1.2 - 2.2
Retail markup (150 percent).....		1.8 - 3.3
Total impact, other than food, at consumer level.....		3.0 - 5.5
Total consumer impact of reregistration.....		18.1 -34.7
Continuing annual incremental costs (new registrations).....		1.27- 1.98
Agricultural uses.....		
Wholesale value.....		1.02- 1.58
Retail markup (150 percent).....		1.53- 2.37
Markup for food processors, wholesalers, retailers (30 percent).....		0.75- 1.18
Total impact on food prices at consumer level.....		3.31- 5.13
All other uses.....		
Wholesale value.....		0.25- 0.40
Retail markup (150 percent).....		0.37- 0.60
Total impact, other than food, at consumer level.....		0.62- 1.00
Total consumer impact of new registrations.....		3.93- 6.13
Total annual consumer impact, reregistration and new registrations.....		22.0 -40.8

Of the total one-time reregistration costs of between 22 and 42 million dollars, agriculture's share is approximately 18 to 34 million dollars. This cost is equivalent to 5 to 9 million dollars per year (amortized over a five-year period). Incorporating the standard mark-ups, this increase would be translated into an annual increase in food costs of between 15 and 29 million dollars for the five-year period.

The impact of one-time reregistration costs on all other pesticide uses ranges between a total of 4 and 8 million dollars, or an amortized value of 1 to 2 million dollars annually. Accounting for the mark-ups, this would add an additional 3 to 6 million dollars annually to retail costs. Thus, for all uses, the annual consumer impact for reregistration ranges between 18 and 35 million dollars.

The incremental impact on new registrations for agricultural and other uses of pesticides ranges from 1 to 2 million dollars. With mark-ups, this will result in increased food prices of from 3 to 5 million dollars, and other increases felt by consumers of from 0.6 to 1 million dollars. Thus, the impact of the added costs of new registrations at the consumer level will be between 4 to 6 million dollars. From the sixth year onward, these would be the only cost impacts remaining that are attributable to the Guidelines to the regulations.

Based on the upper end of the cost ranges, the total annual agricultural impact would represent an increase of 0.9 percent in the cost of pesticides to agriculture, based on a 3.6 billion dollar pesticide cost or an increase in total crop production costs of approximately 0.1 percent on a total cost of 29 billion dollars. On a household basis this would amount to approximately 49 cents per year for 5 years and 9 cents per year

thereafter. The total annual cost for all other pesticide uses would run approximately 9 cents per household for the first 5 years and then drop to 2 cents annually. Therefore, the total annual costs for households for all pesticide uses would be 58 cents for the first 5 years and 11 cents per year thereafter.

The impact of the Guidelines to the regulations on employment and competition within the pesticide industry stems from Section 3(c) (1) (D) of FIFRA. The amount of compensation for data under this Section of the Act may function as a barrier to entry to the industry and thereby may reduce employment and competition within the industry. The regulations promulgated under Section 3(c) (1) (D) of FIFRA have not been finalized within the Agency. However, due consideration is being given to the anticompetitive aspect of all implementation schemes so that the forthcoming proposed regulations should not pose a barrier to existing or future pesticide markets. Since any adverse affect on employment is derived from the competitive aspect of the industry, it should also be minimized by the proposed implementation scheme for Section 3(c) (1) (D) of FIFRA.

There is no anticipated impact on energy demand resulting from the Guidelines to the regulations. The area of greatest concern is agriculture, as substitution of higher energy consumption practices could occur if the cost of pesticides were to become non-competitive. Based on the highest annualized cost, however, annual costs of pesticides amount to only an average of 27 cents per treated acre. The costs of substitute practices far exceed this cost, and therefore they are not likely to occur.

[FR Doc.75-22416 Filed 8-21-75;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[Report No. 767]

COMMON CARRIER SERVICES INFORMATION¹

Domestic Public Radio Services Applications Accepted for Filing²

August 18, 1975.

Pursuant to §§ 1.227(b) (3) and 21.30 (b) of the Commission's rules, an application, in order to be considered with any domestic public radio services application appearing on the attached list, must be substantially complete and tendered for filing by whichever date is earlier: (a) the close of business one business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application (with which subsequent applications are in conflict) as having been accepted for filing. An application which is subsequently amended by a major change will be considered to be a newly filed application. It is to be noted that the cut-off dates are set forth in the alternative—applications will be entitled to consideration with those listed in the appendix if filed by the end of the 60 day period, only if the Commission has not acted upon the application by that time pursuant to the first alternative earlier date. The mutual exclusivity rights of a new application are governed by the earliest action with respect to any one of the earlier filed conflicting applications.

The attention of any party in interest desiring to file pleadings pursuant to Section 309 of the Communications Act of 1934, as amended, concerning any domestic public radio services application accepted for filing, is directed to § 21.27 of the Commission's Rules for provisions governing the time for filing and other requirements relating to such pleadings.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

APPLICATIONS ACCEPTED FOR FILING

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

20208-CD-P-76, Capitol Radiotelephone Co., Inc. (KQD614). C.P. for additional facilities to operate on 152.12 MHz (Base) at 800 Block of Nease Dr., 900' North of 7th Avenue W. Ext. Charleston, West Virginia.

¹ All applications listed in the appendix are subject to further consideration and review and may be returned and/or dismissed if not found to be in accordance with the Commission's Rules, regulations and other requirements.

² The above alternative cut-off rules apply to those applications listed in the appendix as having been accepted in Domestic Public Land Mobile Radio, Rural Radio, Point-to-Point Microwave Radio and Local Television Transmission Services (Part 21 of the Rules).

20051-CD-ML-76, Knox La Rue, d/b/a Atlas Radiophone (KMM630). Mod. Lic. to change repeater frequency from 72.14 MHz to 72.16 MHz at Bear Mtn. Ridge, near Angels Camp, California.

20209-CD-P-(2)-76, Miami Valley Radiotelephone (KLF577), for additional facilities to operate on 35.22 MHz (Base) at new site described as Loc. #5: Union Rd. at the Pipeline, Near Middletown, Ohio; also new control facilities to operate on 72.06 at existing Loc. #4: Cox Road & State Route 42, Pitsgah, Ohio.

20210-CD-AL-76, Mobile Radio Communication Service, Inc. (KFL919). Consent to Assignment of License from Mobile Radio Communication Service, Inc., Assignor, to Protectowire Pacific Co., Inc. (Longview, Washington).

20211-CD-P-76, Aersignal International, Inc. (KWT861). C.P. to relocate facilities at Loc. #1 operating on 35.58 MHz (Base) to be located at Fruitville Rd. & Christie Avenue, Sarasota, Florida.

20212-CD-P-(3)-76, Industrial Communications (KWH302). C.P. for additional facilities to operate on 43.58 MHz (Base) at new site described as Loc. #3: Scott Peak, 1.9 mile N. of Brighton, Utah; also add facilities to operate on 43.58 MHz (Base) at new site described at Loc. #4: Lewis Peak, 6 miles SW. of Coalville, Utah; also to add control facilities to operate on 2168.4 MHz at existing Loc. #1: Kessler Peak, 6 miles SW. of Magna, Utah.

20213-CD-P-76, Aersignal of Colorado, Inc. (KAQ606). C.P. for additional facilities to operate on 35.58 MHz (Base) at new site described as Loc. 5: 1 mile E. of I-25 & 4 miles N. of Castle Rock, Colorado.

20214-CD-P-76, Communications Engineering, Inc. (KWA634). C.P. for additional facilities to operate on 152.24 MHz (Base) at existing Loc. #3: 3rd & E Sts., Anchorage, Alaska.

20215-CD-MP-76, Peter A. Bakal (KUC954). Mod. C.P. to replace transmitters operating on 454.675 & 454.925 MHz (Base) located on Crawford Road, 5 miles NW. of Schenectady, New York.

20216-CD-MP-76, Peacock Radio Service (KLF662). Mod. C.P. to change control frequency from 72.08 MHz to 72.32 MHz at 1100 Cleveland Street, Clearwater, Florida.

20217-CD-P-(2)-76, General Tel. Company of California (KRM985). C.P. to change antenna system operating on 454.675 & 454.750 MHz (Base) at Santa Ynez Peak, 8 miles SE. of Santa Ynez, California. (Air-Ground.)

20218-CD-P-76, General Tel. Co. of California (KME440). C.P. to change antenna system operating on 454.600 MHz (Base) at Santa Ynez Peak, 8 miles SE. of Santa Ynez, Calif.

2008-CD-P-76, Arvig Telephone Company (KUS222). C.P. to change antenna system operating on 152.78 MHz located 1.8 miles N. of Ash River Falls, Minnesota. (Major Action under Section 1.305 of the Commission's Rules.)

Corrections

20172-CD-P-76, Mobile Phone of Texas, Inc. Correct call sign to read KLB802. All other particulars to remain as reported on Public Notice #766, dated August 11, 1975.

20175-CD-P-(3)-76, Stockton Mobilphone, Inc. (KMA616). Correct entry to indicate new control facilities operating on 75.64 MHz to be added at existing site described as Loc. #3: 2171 Ralph Avenue, Stockton, California. All other particulars to remain as reported on Public Notice #766, dated August 11, 1975.

Informative

It appears that the following applications may be mutually exclusive and subject to the Commission's Rules regarding Ex Parte presentations by reasons of potential electrical interference.

Tennessee: (43.58 MHz)—Memphis Mobile Telephone, Inc., Memphis, File #: 20003-CD-P-76; Mahaffey Message Relay, Inc., Collierville, File #: 21635-CD-P-75.

RURAL RADIO SERVICE

60046-CR-P-76, United Telephone Company of the Northwest (KY076). Mod. C.P. to change antenna system operating on 157.80 and 158.04 MHz located 500' N. of Fish Lake Ranger Station, Jackson, Oregon.

60031-CR-P-76, RCA, Alaska Communications, Inc. (WGF47). C.P. to relocate facilities operating on 459.400 MHz at Teller, Alaska. (Inter-Office-Fixed.)

60047-CR-P-76, Lincoln County Telephone System, Inc. (New). C.P. for a new Central Office-Fixed station to operate on 454.50 MHz located adjacent to Telephone Central Office (No Street Address) Lake Valley, Nevada.

60048-CR-P-76, Lincoln County Telephone System, Inc. (New). C.P. for a new Rural Subscriber-Fixed station to operate on 459.50 MHz located approximately 21.5 KM ENE Lake Valley, Lincoln, Nevada.

POINT-TO-POINT MICROWAVE RADIO SERVICE

289-CF-P-76, Lincoln County Telephone System, Inc. (New), Tem Plute, Nevada. Lat. 37°38'56" N., Long. 115°37'10" W. C.P. for a new station on frequency 2165.2H MHz toward Alamo, Nevada, via passive reflector on azimuth 147°05'.

290-CF-P-76, Same (New), behind Central Office in Alamo, Nevada. Lat. 37°21'50" N., Long. 115°09'50" W. C.P. for a new station on frequencies 2115.2H MHz toward Tem Plute, Nevada, via passive reflector on azimuth 268°15', and 2118.4H MHz toward Delamar Mountain, Nevada, via passive reflector on azimuth 58°24'.

291-CF-P-76, Same (New), on Delamar Mountain, 13 Miles West of Caliente, Nevada. Lat. 37°31'11" N., Long. 114°43'33" W. C.P. for a new station on frequencies 2174.8H MHz toward Caliente, Nevada, via passive reflector on azimuth 351°43', and 2168.4H MHz toward Alamo, Nevada, via passive reflector on azimuth 303°59'.

292-CF-P-76, Same (New), behind Central Office in Caliente, Nevada. Lat. 37°36'56" N., Long. 114°30'45" W. C.P. for a new station on frequencies 2112.0H MHz toward Ploche, Nevada, via passive reflector on azimuth 03°09', and 2124.8H MHz toward Delamar Mtn., Nevada, via passive reflector on azimuth 246°37'.

293-CF-P-76, Same (New), behind Central Office in Ploche, Nevada. Lat. 37°55'43" N., Long. 114°27'08" W. C.P. for a new station on frequency 2162.0H MHz toward Caliente, Nevada, via passive reflector on azimuth 351°43'.

295-CF-P-76, American Telephone and Telegraph Company (KPE99), 7.5 Miles NE. of Mountain Home, Idaho. Lat. 43°12'19" N., Long. 115°33'52" W. C.P. to delete frequency 6004.5V and add 4190H MHz toward Indian Butte, Idaho, on corrected azimuth 139°40'; replace transmitter and change power.

296-CF-P-76, Same (KPF20), Indian Butte, 8 Miles SW. of Hagerman, Idaho. Lat. 42°45'13" N., Long. 115°02'43" W. C.P. to delete frequency 6256.5V and add 4198H MHz toward Mountain Home, Idaho, on corrected azimuth 320°01'; replace transmitter and change power.

297-CF-P-76, Same (KPF23), 10.5 Miles East of Rupert, Idaho. Lat. 42°37'00" N., Long. 113°25'25" W. C.P. to delete frequency 6004.5V and add 4190V MHz toward American Falls, Idaho, on azimuth 60°56'; replace transmitter and change power.

298-CF-P-76, Same (KPF24), 6.5 Miles West of American Falls, Idaho. Lat. 42°47'19" N., Long. 113°00'06" W. C.P. to delete frequency 6256.5V and add 4198V MHz toward Rupert, Idaho, on azimuth 241°13'; replace transmitter and change power.

299-CF-MP-76, Southwestern Bell Telephone Company (KRR60), 11.5 Miles NE. of Russellville, off Hwy. 124, Arkansas. Lat. 35°24'09" N., Long. 92°59'39" W. Mod. of C.P. to change polarization from Vertical to Horizontal on frequency 10835.0 MHz toward Petit Jean, Arkansas, via passive reflector on azimuth 167°51'.

300-CF-P-76, The Bell Telephone Company of Pennsylvania (WDE84), Concordia, Hilltop, 0.38 Mile SW. of Concordia Church, West Hempfield Twp., Pennsylvania. Lat. 40°02'49" N., Long. 76°27'16" W. C.P. to relocate passive reflector to Lancaster General Hospital and change azimuth to 90°-00' for frequencies 11345H, 11425V, 11585V, 11665H MHz, and change azimuth from passive reflector to Lancaster to 180°00'.

301-CF-P-76, The Bell Telephone Company of Pennsylvania. (WDE65), 126 North Duke Street, Lancaster, Pennsylvania. Lat. 40°02'26" N., Long. 76°18'17" W. C.P. to change antenna system, relocate passive reflector to Lancaster General Hospital, and change azimuth to 00°00' for frequencies 10775H, 10935H, 11015V, 11175V MHz; change azimuth from passive reflector to Concordia, Pennsylvania, to 270°00'.

306-CF-P-76, The Mountain States Telephone and Telegraph Company (WAH590), College Street and Main Avenue, Mackay, Idaho. Lat. 43°54'45" N., Long. 113°36'51" W. C.P. to change antenna system and size, and add frequencies 11325V, 11445H MHz toward a new point of communication at Barton Flats, Idaho, via passive reflector on azimuth 287°07'.

307-CF-P-76, Same (New), Barton Flats, 11.3 Miles WNW. of Mackay, Idaho. Lat. 44°00'08" N., Long. 113°48'12" W. C.P. for a new station on frequencies 10875V, 10995H MHz toward Mackay, Idaho, via passive reflector on azimuth 239°52'; and 2128.0H MHz toward a new station at Willow Creek, Idaho, on azimuth 332°53'.

310-CF-P-76, Michigan Bell Telephone Company (KVU86), 54 North Mill Street, Pontiac, Michigan. Lat. 42°38'20" N., Long. 38°17'25" W. C.P. to change antenna system and add frequencies 6034.2H, 6152.8H MHz toward Milford, Michigan, on azimuth 254°42'; replace transmitters and change power on frequencies 5974.8H, 6093.5H MHz toward Milford.

311-CF-P-76, Same (KVU87), 4.5 Miles SW. of Milford, Michigan. Lat. 42°33'23" N., Long. 83°41'41" W. C.P. to change antenna system, add alarm center and frequencies 6286.2V, 6404.8V MHz toward Pontiac, Michigan, on azimuth 74°26'; replace transmitters and change power on 6226.9V, 6345.5V toward Pontiac.

319-CF-P-76, Bell Telephone Company of Nevada (KOR51), Potosi Mountain, 5.5 Miles NW. of Goodsprings, Nevada. Lat. 35°53'33" N., Long. 115°29'39" W. C.P. to add antenna and frequency 2120.0H MHz toward a new point of communication at Pahrump, Nevada, via passive reflector on azimuth 311°53'.

- 320-CF-P-76, Same (New), Merton Street, 300' South of the Post Office, Pahump, Nevada. Lat. 36°12'45" N., Long. 115°59'47" W. C.P. for a new station on frequency 2170.0H MHz toward Potosi Mountain, Nevada, via passive reflector on azimuth 23°32'.
- 323-CF-P-76, Citizens Utilities Company of California, New, Big Valley Mtn., 5.5 Miles SW. of Bleber, California. 41°04'21" N., Long. 121°13'19" W. C.P. for a new station on frequency 2162.4V MHz toward Likely Mtn., California, on azimuth 80°21'.
- 324-CF-P-76; Same (KMH76), Likely Mountain, 22 Miles South of Alturas, California. Lat. 41°09'19" N., Long. 120°33'46" W. C.P. to correct latitude coordinate, and add frequency 2112.4V MHz toward a new station at Big Valley Mountain, California, on azimuth 260°47'.
- 334-CF-P-76, South Central Bell Telephone Company (KIB84), Coldwater, approx. 1.5 Miles SW. of Anniston, Alabama. Lat. 33°38'38" N., Long. 85°50'49" W. C.P. to replace transmitters and change emission designator on frequencies 6004.5V, 6123.1V MHz toward Trickem, Alabama, on azimuth 105°05'.
- 338-CF-P-76, Michigan Bell Telephone Company (KQM36), 221 North Washington Street, Lansing, Michigan. Lat. 42°44'08" N., Long. 84°33'09" W. C.P. to add frequency 4310V MHz toward Morrice, Michigan, on azimuth 59°24'.
- 339-CF-P-76, Same (WSL61), 4.4 Miles NNE. of Morrice, Michigan. Lat. 42°54'20" N., Long. 84°09'36" W. C.P. to add frequencies 4170V MHz toward Lansing, Michigan, on azimuth 239°40', and 4170V MHz toward Flint, Michigan, on azimuth 72°12'.
- 340-CF-P-76, Same (KQG59), 502 Beach Street, Flint, Michigan. Lat. 43°00'53" N., Long. 83°41'33" W. C.P. to add frequencies 4310V MHz toward Morrice, Michigan, on azimuth 252°31', and 3710V MHz toward Pine Run, Michigan, on azimuth 03°19'.
- 341-CF-P-76, Same (KQF43), 1.5 Miles East of Pine Run, Michigan. Lat. 43°10'20" N., Long. 83°40'48" W. C.P. to add frequencies 3750V MHz toward Flint, Michigan, on azimuth 183°20', and 3750H MHz toward Saginaw, Michigan, on azimuth 323°48'.
- 342-CF-P-76, Same (KQM41), 309 South Washington Street, Saginaw, Michigan. Lat. 43°25'51" N., Long. 83°56'24" W. C.P. to add frequency 3710H MHz toward Pine Run, Michigan, on azimuth 143°37'.
- 343-CF-P-76, The Mountain States Telephone and Telegraph Company (KCO83), Greeley Junction, 3 Miles SW. of Greeley, Colorado. Lat. 40°23'10" N., Long. 104°44'11" W. C.P. to add frequencies 4050.0V, 4130.0V MHz toward Boulder Junction, Colorado, on azimuth 225°11'.
- 344-CF-P-76, Same (WGI51), Denver Zuni, 52nd Avenue & Zuni Street, Denver, Colorado. Lat. 39°47'31" N., Long. 105°01'00" W. C.P. to add antenna and frequency 6256.5V MHz toward Boulder Junction, Colorado, on azimuth 311°13'.
- 345-CF-P-76, Same (New), 1545 Walnut Street, Boulder, Colorado. Lat. 40°01'05" N., Long. 105°16'29" W. C.P. for a new station on frequency 1115.0V MHz toward Boulder Junction, Colorado, on azimuth 184°45'.
- 346-CF-P-76, Same (KAM32), Boulder Junction, 2 Miles South of Boulder, Colorado. Lat. 39°58'09" N., Long. 105°16'48" W. C.P. to add antennas and frequencies 4090.0V, 4170.0V MHz toward Greeley Junction, Colorado, on azimuth 44°50', 6004.5H MHz toward Denver Zuni, Colorado, on azimuth 131°03', and 11325.0V MHz toward a new station at Boulder, Colorado, on azimuth 04°44'.
- 376-CF-P-76, American Telephone and Telegraph Company (KQE49), 1.3 Miles South of Bridgeport, Ohio. Lat. 40°03'42" N., Long. 80°45'30" W. C.P. to change antenna system and alarm-center location; replace transmitters and change frequencies 3770V, 3850V, 3930V MHz to 11645V, 11325V, 11485V MHz toward Wheeling, West Virginia, on azimuth 84°24'.
- 377-CF-P-76, Same (KYO77), 8.1 Miles NNE. of Wheeling, West Virginia. Lat. 40°03'52" N., Long. 80°43'17" W. C.P. to modify existing antenna, replace transmitters and change frequencies 4050V, 4130V MHz to 10875V, 11035V MHz toward Bridgeport, Ohio, on azimuth 264°25'.
- 382-CF-P-76, The Mountain States Telephone and Telegraph Company (New), Tijeras DCO, 1 Mile South of Cedar Crest, New Mexico. Lat. 35°05'45" N., Long. 106°22'48" W. C.P. for a new station on frequencies 10815V, 11135V MHz toward Tijeras, New Mexico, on azimuth 151°21'.
- 383-CF-P-76, Same (New), 2.75 Miles SE. of Tijeras, New Mexico. Lat. 35°03'10" N., Long. 106°21'05" W. C.P. for a new station on frequencies 11425V, 11665V MHz toward Albuquerque, New Mexico, on azimuth 277°41', and 11505V, 11345V MHz toward Tijeras CDO, New Mexico, on azimuth 331°22'.
- 384-CF-P-76, Same (New), Albuquerque East, 120 Sierra Drive, NE., Albuquerque, New Mexico. Lat. 35°04'47" N., Long. 106°35'48" W. C.P. for a new station on frequencies 10735V, 10975V MHz toward Tijeras, New Mexico, on azimuth 97°32'.
- 393-CF-P-76, Beaver State Telephone Company (New), 0.9 Mile SE. of Center of Paisley, Oregon. Lat. 42°41'19" N., Long. 120°31'56" W. C.P. for a new station on frequency 2167.2H MHz toward Round Mountain, Oregon, on azimuth 173°30'.
- 394-CF-P-76, Same (KFM93), Round Mountain, Oregon. Lat. 42°29'37" N., Long. 120°30'08" W. C.P. to add frequency 2117.2H MHz toward a new point of communication at Paisley, Oregon, on azimuth 353°31'.
- 426-CF-P-76, Michigan Bell Telephone Company (KZI57), 304 South Jackson Street, Jackson, Michigan. Lat. 42°14'43" N., Long. 84°24'33" W. C.P. to correct coordinates, change antenna system and location, and frequencies 5989.7H, 11325V MHz to 10955V, 11115V MHz toward Parma, Michigan, on azimuth 277°55'; replace transmitters and change power.
- 427-CF-P-76, Same (KQA37), at Callahan Rd. and old U.S. 12, 3 Miles WNW. of Parma, Michigan. Lat. 42°16'14" N., Long. 84°39'23" W. C.P. to change frequencies 3890H, 6271.4H, 10875V MHz to 11405V, 11565V, 11645V MHz toward Jackson, Michigan, on azimuth 97°45'; replace transmitters and change power.
- 431-CF-P-76, Pacific Northwest Bell Telephone Company (KOC65), 819 SW. Oak Street, Portland, Oregon. Lat. 45°31'22" N., Long. 122°40'42" W. C.P. to add frequency 11285V MHz toward Sentinel Hill, Oregon, on azimuth 201°11'.
- 432-CF-P-76, Same (KYS69), Sentinel Hill, near SW. Fairmount Blvd., Portland, Oregon. Lat. 45°29'24" N., Long. 122°41'47" W. C.P. to change antenna system and add frequencies 10835V MHz toward Portland, Oregon, on azimuth 21°10', and 11035V MHz toward Silverton, Oregon, on azimuth 184°23'.
- 433-CF-P-76, Same (KOS28), 2.8 Miles SSE. of Silverton, Oregon. Lat. 44°57'48" N., Long. 122°45'12" W. C.P. to change antenna system and add frequencies 11485V MHz toward Sentinel Hill, Oregon, on azimuth 04°21', and 11325V MHz toward Peterson Butte, Oregon, on azimuth 199°33'.
- 434-CF-P-76, Same (KOR66), 4.1 Miles WSW. of Lebanon, Oregon. Lat. 44°30'33" N., Long. 122°58'43" W. C.P. to change antenna system and add frequencies 10875V MHz toward Silverton, Oregon, on azimuth 19°24', and 11155H MHz toward Corvallis, Oregon, via passive reflector on azimuth 262°46'.
- 435-CF-P-76, Pacific Northwest Bell Telephone Company (KPV82), 401 Jackson Street, Corvallis, Oregon. Lat. 44°33'59" N., Long. 123°15'38" W. C.P. to change antenna system, alarm center location, and add frequencies 11605H MHz toward Peterson Butte, Oregon, via passive reflector on azimuth 262°46'.
- 428-CF-P-76, United Telephone Company of Florida (KIP60), 1520 Lee Street, Fort Myers, Florida. Lat. 26°38'39" N., Long. 81°52'06" W. C.P. to change antenna system and add frequency 2129.0V MHz toward Port Charlotte, Florida, on azimuth 328°20'.
- 429-CF-P-76, Same (KJG59), 790 South Access Road, Port Charlotte, Florida. Lat. 26°59'00" N., Long. 82°06'07" W. C.P. to change antenna system and add frequencies 2179.0V MHz toward Fort Myers, Florida, on azimuth 148°19', and 2161.0V MHz toward a new station at Cape Haze, Florida, on azimuth 238°54'.
- 430-CF-P-76, Same (New), 500' North of Intersection of Pebble Beach Road and Rotunda Plaza, Cape Haze, Florida. Lat. 26°53'45" N., Long. 82°16'35" W. C.P. for a new station on frequency 2111.0V MHz toward Port Charlotte, Florida, on azimuth 58°49'.
- 420-CF-P-76, CPI Microwave, Inc. (WPE58), Intersection of Orleans and Fannin Streets, Beaumont, Texas. Lat. 30°04'55" N., Long. 94°05'53" W. C.P. to add 5960.0V towards Orange, Texas, on azimuth 96°16'.
- 355-CF-P-76, MCI Telecommunications Corporation (New), 3.0 Miles South of Orange, Texas. Lat. 30°03'14" N., Long. 93°45'13" W. C.P. for a new station on 6212.0V towards Beaumont, Texas, on azimuth 275°26'.
- 375-CF-P-76, Western Tele-Communications, Inc. (KPT21), Nelson Peak, Utah. Lat. 40°36'28" N., Long. 112°09'27" W. C.P. to add 11645V MHz and 11325V MHz, via power split, toward Clearfield, Layton, and Bountiful, all within the State of Utah, on azimuths 11°05', 17°43', and 36°29', respectively.
- 460-CF-P-76, United Video, Inc. (WOP37), 3.2 Miles West of Byars, Oklahoma. Lat. 34°52'54" N., Long. 97°06'13" W. C.P. to add 10775V MHz and 10935V MHz toward a new point of communication at Lindsay, Oklahoma, on azimuth 48°07'.
- 415-CF-P-76, Eastern Microwave, Inc. (New), Black Spruce Mtn., New York. Lat. 43°25'18" N., Long. 73°45'51" W. C.P. for a new station on 5945.2H MHz toward Rutland, Vermont, on azimuth 67°28'.
- 336-CF-P-76, Same (KCL96), Rutland, Vermont. Lat. 43°37'27" N., Long. 73°05'08" W. C.P. to add 6182.4V MHz toward Mt. Pritchard, Vermont, on azimuth 358°55'.
- 424-CF-ML-76, American Telephone and Telegraph Company (KAH86), 2.75 Miles NE. of Chester, Minnesota. Lat. 44°01'17" N., Long. 92°17'55" W. Modification of License to delete one TD-2 transmitter on frequency 3910 MHz toward Dexter (KAJ74), Minnesota, on azimuth 228°28'. (Note: The frequency and transmitter shown here to be transferred to Northwestern Bell, see file no. 422-CF-P/L-76. (The remaining facilities at KAH86 are unchanged).)

- 422-CF-P/L-76, Northwestern Bell (New), 2.75 Miles NE. of Chester, Minnesota. Lat. 44°01'17" N., Long. 92°17'55" W. Construction permit and license for a new station on frequency 3910V MHz toward Dexter (KAJ74), Minnesota, on azimuth 228°28'.
- 423-CF-ML-76, Same (KAJ74), 1.25 Miles West of Dexter, Minnesota. Lat. 43°43'53" N., Long. 92°44'55" W. Mod. of License to correct output power to 5.2 Watts, to correct emission designator to 20000F9 on 3750H MHz path toward Austin, Minnesota, and to correct antenna system at Austin. See also file No. 421-CF-A1-(1)-76.
- 421-CF-AL-(1)-76, American Telephone and Telegraph Company (KAJ74). Application for Consent to Assignment of radio station License of KAJ74 (location in Dexter, Minnesota) from American Telephone and Telegraph Co., Assignor, to Northwestern Bell Telephone Company, Assignee.
- 318-CF-P/ML-76, American Telephone and Telegraph Co. (KEF72) (Developmental). In any temporary fixed location within the territory of the grantee. C.P. and Mod. of License to change equipment on 3700-4200 MHz bands.
- 177-CF-P-76, Microband Corporation of America (New), Phoenix, Arizona. Lat. 33°29'08" N., Long. 112°07'20" W. C.P. for a new station on 6187.6H MHz toward South Mountain Park, Arizona, on azimuth 162°30'.
- 395-CF-P-76, Eastern Microwave, Inc. (KYZ-75), High Knob, Pennsylvania. Lat. 41°18'00" N., Long. 75°07'31" W. C.P. to add 6049.0H MHz toward a new point of communication at Liberty, New York, on azimuth 27°47'.
- 418-CF-P-76, Same (KEA27), Springwater, New York. Lat. 42°38'21" N., Long. 77°39'34" W. C.P. to add 6226.9H MHz, via power split, toward a new point of communication at Attica, New York, on azimuth 296°19'.
- 419-CF-P-76, Same (WPX31), Attica, New York. Lat. 42°50'12" N., Long. 78°12'20" W. C.P. to add 6078.6H MHz toward a new point of communication at Lackawanna, New York, on azimuth 266°47'.
- 373-CF-P-76, Wyoming Microwave, (KPB65), Copper Mtn., Wyoming. Lat. 43°26'15" N., Long. 107°59'47" W. C.P. to add 6338.1H MHz, via power split, toward Worland, Riverton, and Lander, all within the State of Wyoming, on azimuths 02°44', 214°22', and 222°13', respectively.
- 374-CF-P-76, Same (KPS63), Cedar Mtn., Wyoming. Lat. 44°29'46" N., Long. 109°09'16" W. C.P. to add 5945.2V MHz, via power split toward Cody and Powell, Wyoming, on azimuths 67°14' and 46°57', respectively. (Note: Waiver of 21.701(1) requested by Wyoming Microwave.)
- 468-CF-P-76, Eastern Microwave, Inc. (KEM-58), Helderberg Mtn., New York. Lat. 42°38'12" N., Long. 73°59'45" W. C.P. to add 6271.4H MHz, via power split, toward Queensbury, New York, on azimuth 21°53'.
- 461-CF-P-76, Western Tele-Communications, Inc., Nelson Peak, Utah. Lat. 40°36'28" N., Long. 112°09'27" W. C.P. to add 11325H MHz and 11645H MHz toward SLC TOC, Utah, on azimuth 51°51'.
- 462-CF-P-76, Same (KPT21), Nelson Peak, 18.0 Miles SW. of Salt Lake City, Utah. Lat. 40°36'28" N., Long. 112°09'27" W. C.P. to add 11645V MHz toward Ogden (CATV), Utah, on azimuth 14°29'.
- 219-CF-P-76, Continental Telephone Company of Texas (KKK58), 1.0 Mile North of Dodge, Texas. Lat. 30°45'37" N., Long. 95°23'29" W. C.P. to add 6212.0V MHz toward Crockett, Texas, on azimuth 355°00'.
- 325-CF-P-76, Midwestern Relay Company (WLJ50), Stockbridge, Wisconsin. Lat. 44°04'20" N., Long. 88°15'27" W. C.P. to add 6315.9V MHz, via power split, toward Appleton (CATV), Wisconsin, on azimuth 330°25'.

[FR Doc.75-22227 Filed 8-21-75;8:45 am]

FM AND TV BROADCAST APPLICATIONS Ready and Available for Processing

AUGUST 15, 1975.

By Public Notice released August 15, 1975 (mimeo 53895) interested parties were informed, pursuant to sections 1.572 (c) and 1.573(d) of the Commission's rules, that on October 2, 1975, the FM and TV broadcast applications listed therein would be ready and available for processing, and that in order to be considered in connection therewith, any application involving a conflict with a listed application, or with any other application on file by the close of business on October 1, 1975, which involves a conflict necessitating a hearing with any application on that list, must be substantially complete and tendered for filing at the offices of the Commission in Washington, D.C., by the close of business on October 1, 1975. The August 15 Public Notice also contained parallel provisions with respect to the filing of petitions to deny such applications pursuant to section 309(d) (1) of the Communications Act of 1934, as amended, and section 1.580(i) of the Commission's rules.

In order to include on the October 1 "cut-off" list certain applications inadvertently omitted from the August 15 Public Notice, said Notice is hereby supplemented by the addition of the FM and TV broadcast applications listed in the attached Appendix.

It is anticipated that a second FM/TV application "cut-off" list will be issued within the next 30 days.

Adopted: August 15, 1975.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

APPENDIX

TV BROADCAST APPLICATIONS:

- BPCT-4860 NEW, Rock Hill, S.C.
South Carolina Educational
Television Commission.
ch. 30.
ERP, vis.: 680 kW, HAAT: 691 ft.
NEW, Allentown, Pa.
Maranatha Broadcasting Com-
pany, Inc.
ch. 69.
ERP, vis.: 18.25 kW, HAAT: 898
ft.
- BPCT-4863 WKYH-TV, Hazard, Ky.
Hazard Television Company,
Inc.
ch. 57.
ERP, vis.: 214 kW, HAAT: 800 ft.
- BPCT-481

FM BROADCAST APPLICATIONS:

- BPED-1486 NEW, Boynton Beach, Fla.
The Moody Bible Institute of
Chicago.
Req: 88.7 MHz; Channel No. 204.
ERP: 50 kW; HAAT: 479 ft.

[FR Doc.75-22228 Filed 8-21-75;8:45 am]

FCC PBX TECHNICAL STANDARDS SUBCOMMITTEE

Meeting

AUGUST 18, 1975.

In accordance with Public Law 92-463, announcement is made of a public meet-

ing of the FCC PBX Technical Standards Subcommittee to be held September 17-18, 1975 in Washington, D.C. The meeting will commence at 10 a.m. and will be held in Room 752, 1919 M Street NW on September 17, and in Room A205, 1229 20th Street NW on September 18.

1. *Purpose:* The purpose of this Subcommittee is to prepare recommended standards and procedures to permit the interconnection of customer-provided and maintained PBX equipment to the public switched telecommunications network without the need for carrier-provided connecting arrangements.

2. *Activities:* As at prior meetings, the Subcommittee members and observers present their suggestions and recommendations regarding the various technical criteria and standards that should be considered with respect to the interconnection of PBX equipment to the public telephone network.

3. *Agenda:* The agenda for the September 17th meeting is as follows:

- (1) Report of the Glossary Task Group.
- (2) Task priorities.
- (3) Task Group assignments and schedules.
- (4) Homework assignments.

The agenda for the September 18th meeting is as follows: The Equipment Test Standards Task Group will revise its latest draft to incorporate changes in Revision B of Interface Criteria (Document T97).

4. *Public Participation:* The public is invited to attend this meeting. Any member of the public wishing to file a written statement with the Subcommittee may do so before or after the meeting.

For more information, contact the Common Carrier Bureau on (202) 632-6917.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.75-22229 Filed 8-21-75;8:45 am]

[Docket No. 20567; File No. BPH-8905, etc.]

ALEXANDER S. KLEIN, ET AL. Memorandum Opinion and Order

In re applications of Alexander S. Klein, Jr., Media, Pennsylvania, Docket No. 20567, File No. BPH-8905; Requests: 100.3 MHz, #262; 50 kW (H&V); 500 feet; Greater Media Radio Co., Media, Pennsylvania, Docket No. 20568, File No. BPH-9011; Requests: 100.3 MHz, #262; 50 kW (H&V); 500 feet; Roberts Broadcasting Corp., Media, Pennsylvania, Docket No. 20569, File No. BPH-9156; Requests: 100.3 MHz, #262; 50 kW (H&V); 500 feet; for construction permits.

1. The Commission, by the Chief of the Broadcast Bureau, acting under delegated authority, has before it the above applications which are mutually exclusive since each of the applicants has requested authority to operate on the same FM broadcast channel allocated to the same community.

2. FM channel 262 is a class B channel allocated to Media, Pennsylvania, pursu-

ant to the FM Table of Assignments contained in § 73.202 of the Commission's rules. Channel 262 is a short-spaced assignment in that no class B station operating on that channel and covering Media, Pennsylvania, with a 3.16 mV/m signal as required by § 73.315 of the rules, could satisfy the mileage separation requirements for a class B FM station which are specified in § 73.207 of the rules. Station WXUR-FM, which was formerly assigned channel 262 in Media prior to the revocation of its license, was short-spaced with the following stations: WLBR-FM, Lebanon, Pennsylvania; WFAN, Washington, D.C.; and WVNJ-FM, Newark, New Jersey. The three applicants now before us propose facilities which will be similarly short-spaced with stations WLBR-FM, WFAN, and WVNJ-FM. In addition, each of the current applicants for channel 262, Media, Pennsylvania, proposes to utilize the maximum facilities allowed by § 73.213 of the Commission's rules for a class B FM broadcast station which is short spaced with other existing stations in the manner that each of the applicants is short-spaced. Each of the three current applicants for channel 262 has requested waiver of the provisions of § 73.207 of the rules, apparently on the basis that it was unclear whether, on the one hand, the short-spacing which former station WXUR-FM was allowed would be "grandfathered" by the Commission, or on the other hand, whether the Commission would require new applicants for that channel to present public interest reasons for waiving the provisions of that section of the rules. If the provisions of § 73.207 of the rules were waived, then the three applicants would, technically, have to request waivers of the provisions of § 73.213 of the rules in order to utilize the facilities proposed, since § 73.213 allows only existing short-spaced stations to increase facilities to the levels sought by these applicants.

3. In regard to the status of applicants for channel 262, Media, Pennsylvania, we wish to clarify the point that the Commission, in accepting these three applications for filing, recognized that the channel 262 allocation to Media was "grandfathered" as being short-spaced with stations WLBR-FM, WFAN, and WVNJ-FM and that any applicant for channel 262 in Media would be allowed to be short-spaced with those stations so long as the short-spacings were essentially the same as those of former station WXUR-FM. All three applicants propose short-spacing basically similar to those of former station WXUR-FM. Thus, since the short-spacings involved are "grandfathered" and the provisions of section 73.207 of the rules have been permanently waived to that extent, there is no need to waive the provisions of § 73.213 of the rules, since the applicants stand in the same shoes as former station WXUR-FM and since they propose facilities which § 73.213 of the rules allows for class B FM stations which are already short-spaced in the manner that each of the applicants is short-spaced. It

would be a fruitless exercise to require the applicants to undergo a two-step process by requesting the precise facilities used by former station WXUR-FM, i.e., 4.2 kW effective radiated power and 440 feet in antenna height above average terrain, until one of their applications is granted, and then requiring the new licensee to apply for the maximum facilities allowed pursuant to § 73.213 of the rules, especially since an application for such facilities could be filed as soon as the new licensee goes on the air. Accordingly, in view of the foregoing discussion, no hearing issues with respect to the applicants' compliance with the provisions of §§ 73.207 and 73.213 of the rules are required.

4. Greater Media Radio Company estimates that it will require \$170,340 to construct and operate its proposed station, itemized as follows: down payment on equipment to be purchased from Harris-Intertype Corporation, \$15,500; first-year payments, including interest, on the Harris-Intertype equipment, \$19,840; additional costs for purchasing and installing other equipment, \$7,500; land and building expenses, \$34,000; miscellaneous expenses, including legal fees, \$13,500; and first-year operating expenses, \$80,000. To meet these costs, Greater Media relies on \$50,000 in new capital and a \$200,000 loan to be provided by its majority stockholder, Daniel M. Lerner. Daniel Lerner indicated that he will sell his interests in two Massachusetts radio stations for \$250,000 in the event that Greater Media is granted its requested construction permit, and that he will use these proceeds to provide Greater Media with \$50,000 in capital and a \$200,000 loan. He would not require any repayment on the \$200,000 loan or any interest thereon for two years. To demonstrate the availability of \$250,000 from the sale of his interests in the Massachusetts radio stations, Daniel Lerner has obtained a letter from Arnold S. Lerner, president and majority shareholder of the licensee of the two stations, WLLH and WSSH(FM), which explains that Arnold S. Lerner would be willing to purchase Daniel Lerner's stock in the licensee corporation of those two stations for \$250,000 within 30 days after the Commission grants Greater Media a construction permit. Arnold S. Lerner has filed a copy of his personal balance sheet to show his ability to provide the \$250,000, but since he has not described his stocks and bonds with the specificity required by paragraph 4(b), section III, FCC Form 301 (the application form), his balance sheet fails to demonstrate that he has sufficient net liquid assets to meet his commitment to Daniel Lerner. In addition, we note that Daniel Lerner's balance sheet does not reveal any net liquid assets with which he could meet his financial commitments to Greater Media. Accordingly, a financial issue will be specified against Greater Media.

5. Except as indicated by the issues specified below, the applicants are qualified to construct and operate as proposed. However, because the proposals

are mutually exclusive, they must be designated for hearing in a consolidated proceeding on the issues specified below.

6. Accordingly, it is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine, with respect to the application of Greater Media Radio Company:

(a) Whether Arnold S. Lerner has sufficient net liquid assets to meet his commitment to provide Daniel M. Lerner with \$250,000 in exchange for Daniel M. Lerner's interests in the licensee of radio stations WLLH and WSSH(FM); and

(b) Whether, in light of the evidence adduced pursuant to (a), above, the applicant is financially qualified to construct and operate as proposed.

2. To determine which of the proposals would, on a comparative basis, best serve the public interest.

3. To determine, in light of the evidence adduced pursuant to the foregoing issues, which of the applications should be granted.

7. It is further ordered, That to avail themselves of the opportunity to be heard, the applicants herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney shall, within twenty (20) days of the mailing of this Order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this Order.

8. It is further ordered, That the applicants herein shall pursuant to section 311 (a)(2) of the Communications Act of 1934, as amended, and section 1.594 of the Commission's rules, give notice of the hearing, either individually or, if feasible and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by section 1.594(g) of the rules.

Adopted: August 7, 1975.

Released: August 13, 1975.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] WALLACE E. JOHNSON,
Chief, Broadcast Bureau.
[FR Doc.75-22225 Filed 8-21-75; 8:45 am]

FEDERAL ENERGY ADMINISTRATION

PRODUCT PRICING REPORT

Notice of Availability of Form

Notice is hereby given that the Federal Energy Administration has available and has mailed to certain refiners, gas plant operators, resellers, and retailers, Form FEA P-302-M-1, (Petroleum Industry Monthly Report for Product Prices). This form represents the revision of the refined product pricing por-

tion of the CLC 90 and requires the reporting of petroleum price and cost data pursuant to Sections 5 and 13 of the Federal Energy Administration Act of 1974 (PL 93-275). Data provided on this form will be used by the FEA to execute its role in monitoring refined petroleum product prices.

All refiners and gas plant operators are required to submit this form. In addition, all resellers and retailers who derive \$50 million revenue annually or more from sales of covered products should also complete and file Form FEA P-302-M-1. Reports for the months of July, August, and September 1975 should be received no later than November 17, 1975. Beginning with October 1975, Form FEA P-302-M-1 is required to be filed by the thirtieth day of each month, following the month of measurement.

If you are required to file Form FEA P-302-M-1 and have not received a copy of the form, please contact the Federal Energy Administration, Code 2895, Washington, D.C. 20461 or telephone (202) 254-8736 to obtain copies of the forms.

Dated: August 16, 1975.

ROBERT E. MONTGOMERY, JR.,
General Counsel,
Federal Energy Administration.

[FR Doc.75-22168 Filed 8-19-75;10:50 am]

WHOLESALE PETROLEUM ADVISORY COMMITTEE

Notice of Change in Meeting Date

Notice is hereby given of a change in the date of the meeting for the Wholesale Petroleum Advisory Committee. The Committee will meet at 9:30 a.m. at the Jack Tar Hotel, Van Ness and Geary Streets, San Francisco, California, on Monday, September 8, 1975, rather than Monday, August 25, 1975, as previously announced in the FEDERAL REGISTER of August 7, 1975 (40 FR 33286).

Issued in Washington, D.C., on August 19, 1975.

DAVID G. WILSON,
Acting General Counsel.

[FR Doc.75-22283 Filed 8-19-75;4:38 pm]

FEDERAL MARITIME COMMISSION CITY OF OAKLAND AND UNITED STATES LINES, INC.

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, N.W., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agree-

ments, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before September 15, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

J. Kerwin Rooney, Port Attorney, Port of Oakland, 66 Jack London Square, P.O. Box 2064, Oakland, California 94607.

Agreement No. T-2758-B-2, between City of Oakland (City) and United States Lines, Inc., (USL), modifies the basic agreement between the parties which provides for the lease to USL of two container cranes owned by City and located in Middle Harbor Terminal Area on the Oakland Inner Harbor. The purpose of the modification is to: (1) extend the outreach of the easterly crane to a maximum of 125 feet at Port's expense; (2) establish an additional charge to be retained by Port for the secondary users of the said crane; and (3) amend the formula for computing the amount of money that Port would reimburse USL in the event the agreement is terminated prior to expiration.

By Order of the Federal Maritime Commission.

Dated: August 15, 1975.

JOSEPH C. POLKING,
Assistant Secretary.

[FR Doc.75-22265 Filed 8-21-75;8:45 am]

UNITED STATES LINES, INC. AND AMERICAN EXPORT LINES, INC.

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, N.W., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington,

D.C., 20573, on or before September 3, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Mr. Edgar L. Taplin, Jr., Lord, Day & Lord,
25 Broadway, New York, New York 10004.

Agreement No. T-2890-2 is a letter agreement from United States Lines, Inc., to the City of New York, assented to by American Export Lines, Inc. The purpose of this agreement is to provide for a rental increase with respect to the Pepsico cranes covered by the basic lease, as amended by Agreement No. T-2890-1.

By Order of the Federal Maritime Commission.

Dated: August 15, 1975.

JOSEPH C. POLKING,
Assistant Secretary.

[FR Doc.75-22266 Filed 8-21-75;8:45 am]

WEST COAST OF ITALY, SICILIAN AND ADRIATIC PORTS NORTH ATLANTIC RANGE CONFERENCE

Notice of Agreement Filed

Notice is hereby given that the following agreement, accompanied by a statement of justification, has been filed with the Commission for approval pursuant to Section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement and the statement of justification at the Washington office of the Federal Maritime Commission, 1100 L Street, N.W., Room 10126; or may inspect the agreement and the statement of justification at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before September 15, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a

violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Stanley O. Sher, Esquire, Billig, Sher & Jones, P.C., 1126 Sixteenth Street, N.W., Washington, D.C. 20036.

Agreement No. 2846-27 among the members of the above named conference amends the basic agreement to provide for a special section to set rates on Central European cargo loaded at Trieste.

By Order of the Federal Maritime Commission.

Dated: August 19, 1975.

JOSEPH C. POLKING,
Assistant Secretary.

[FR Doc.75-22267 Filed 8-21-75; 8:45 am]

[Independent Ocean Freight Forwarder
License No. 1550]

EDWARD R. McNUTT
Order of Revocation

On July 29, 1975, Edward R. McNutt, P.O. Box 265, Little Rock, Arkansas 72203 voluntarily surrendered his Independent Ocean Freight Forwarder License No. 1550 for revocation.

By virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 201.1 (Revised) § 5.01(b) (dated 6/30/75);

It is ordered, that Independent Ocean Freight Forwarder License No. 1550, issued to Edward R. McNutt, be and is hereby revoked effective July 29, 1975, without prejudice to reapply for a license in the future.

It is further ordered, that a copy of this Order be published in the FEDERAL REGISTER and served upon Edward R. McNutt.

LEROY F. FULLER,
Director, Bureau of
Certification and Licensing.

[FR Doc.75-22270 Filed 8-21-75; 8:45 am]

License No. 1040]

JOHN E. COLEMAN & CO.
Order of Revocation

On August 14, 1975, John E. Coleman & Co., P.O. Box 2215, San Francisco, California 94126 voluntarily surrendered its Independent Ocean Freight Forwarder License No. 1040 for revocation.

By virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 201.1 (Revised) § 5.01(b) (dated 6/30/75);

It is ordered, that Independent Ocean Freight Forwarder License No.

1040, issued to John E. Coleman & Co., John Edward Coleman d/b/a, be and is hereby revoked effective August 14, 1975, without prejudice to reapply for a license at a later date.

It is further ordered, that a copy of this Order be published in the FEDERAL REGISTER and served upon John E. Coleman & Co.

LEROY F. FULLER,
Director, Bureau of
Certification and Licensing.

[FR Doc.75-22271 Filed 8-21-75; 8:45 am]

[Agreements Nos. 9718-3 and 9731-5; Docket
No. 75-30]

TRADE BETWEEN PORTS IN JAPAN AND
CALIFORNIA, HAWAII AND ALASKA
Order of Investigation

Agreement No. 9718 is a containership service agreement among Japan Line, Ltd.; Kawasaki Kisen Kaisha, Ltd.; Mitsui O.S.K. Lines, Ltd.; and Yamashita-Shinnihon Steamship Co., providing for the operation of eight containerships in the trade between ports in Japan and California. Agreement No. 9731 is a containership service agreement between Nippon Yusen Kaisha and Showa Shipping Co., Ltd., and provides for the operation of four containerships in the trade between ports in Japan and ports in California, Hawaii and Alaska.

Both agreements contain similar provisions, whereby under the terms of each arrangement the parties agree, generally, to: (1) schedule and advertise their sailings so as to promote optimum vessel utilization; (2) limit the cargo subject to the agreements to that placed in containers for transportation in container vessels; (3) solicit and book cargo for their separate accounts and issue their own separate bills of lading; (4) provide for space chartering arrangements for the carriage of their loaded and empty containers on each other's vessels; (5) prohibit pooling of revenues¹ or sharing of operational expenses, but administrative expenses may be shared; and (6) reach understanding for the interchange of their empty containers and/or related equipment.

¹ These same six parties are parties to Agreement No. 10116, an arrangement for the pooling of revenues in the trade between ports in Japan and ports in California, Oregon and Washington. Agreement No. 10116 was approved by the Commission on March 7, 1975, for a period of one year. In addition, these carriers are party to two approved containership service agreements covering the U.S. West and East Coast trades, as follows: Agreement No. 9835, among Japan Line, K Line, Mitsui O.S.K. Lines, NYK Line, Showa Line and Yamashita-Shinnihon Line operating three containerships in the Japan/Washington and Oregon trade. (This agreement will expire on August 25, 1976.)

Agreement No. 9975, among Japan Line, K Line, Mitsui O.S.K. Lines, NYK Line and Yamashita-Shinnihon Line operating seven containerships in the Japan/U.S. Atlantic Coast trade. (This agreement will expire on August 22, 1977.)

On March 25, 1975, Agreements Nos. 9718-3 and 9731-5² were filed for the purpose of modifying Articles 10 and 11 thereof, respectively, to provide that the authority conferred thereunder would continue in effect to and including August 22, 1977. By separate orders dated April 29, 1975, the Commission approved both agreements, limited, however, to the period beginning May 2, 1975 through August 21, 1975³ "in order to give it additional time to reexamine the operations of the parties. . . ." under the Agreements.

In support of the requested approval of Agreements Nos. 9718-3 and 9731-5, proponents submit that the parties have made substantial capital investments in the agreement trades, both in container-ships and in shoreside equipment; and that as a direct consequence, both American and Japanese shippers and consignees, as well as port interests on both sides of the ocean, have come to heavily rely on these services, which shows the arrangements carry with them a serious transportation need.

On August 11, 1975, the Marine Cooks and Stewards Union, an affiliate of the Seafarer's International Union of North America, Pacific District, petitioned the Commission to disapprove and cancel the agreements under section 15 of the Shipping Act on the ground that they are unjustly discriminatory and unfair as between carriers, and are contrary to the public interest.

Protestant is a trade union of United States citizens who follow the calling of cooks and stewards on United States flag ships which are based on the Pacific Coast of the United States. Protestant argues that the employment of protestant's members as cooks and stewards on United States flag vessels depends upon the number of United States ships in active service and upon the frequency of their sailings which in turn depend upon the ability of their American owners and operators to compete against foreign flags in booking and obtaining sufficient cargo to enable profitable operation. A major potential source of such cargo is container cargo moving in liner service between the United States West Coast and Japan. The union argues further that members are being deprived of employment because of the anticompetitive effect of Agreements 9718-3 and 9731-5 upon American flag shipping because of the inability of the United States-flag owners and operators, employers and potential employers of protestant's members, to compete profitably

² Notices of filing of Agreements Nos. 9718-3 and 9731-5 were published in the FEDERAL REGISTER on April 2, 1975. A comment and a conditional request for a hearing filed by Sea-Land Service, Inc. and a comment filed by American President Lines were subsequently withdrawn.

³ Agreements Nos. 9718 and 9731 were originally approved by the Commission on July 3 and August 21, 1968, respectively, for a period of three years (self-imposed). By subsequent orders, each agreement was continued to and including May 2, 1975.

for an adequate share of the available cargo against the Japanese-flag container ships that are afforded special privileges under Agreements 9718-3 and 9731-5. Moreover, protestant asserts that the Agreements are not required by any serious transportation need, are not necessary to secure any important public benefit, and serve no valid regulatory purpose under the Shipping Act.

As noted above, on April 29, 1975, the Commission approved Agreements 9718-3 and 9731-5 for a period beginning May 2, 1975, through August 21, 1975, " * * * in order to give it additional time to reexamine the operations of the parties * * *" under the agreements. During that interval circumstances in the trade have changed, and the period has proven insufficient for a complete determination. Therefore, we will extend that short period of approval for six months, during which period we will conduct an expedited proceeding, to determine whether the Agreements should be approved for an additional period of time until August 22, 1977, or be now modified or disapproved.

It is expected that proponents will produce evidence which supports their allegation of a need for this agreement under the standards of section 15. It is also expected that protestant will support with credible evidence the substance of its contentions, and that the Bureau of Hearing Counsel will assure the record contains complete cargo and sailing data for the affected trades. The expedition of this investigation will assure that the entire hearing process is complete prior to the expiration of the period of approval granted today. Finally, this order shall be considered notice to proponents that this proceeding could result in disapproval and cancellation of the subject agreements, necessitating plans for contingency service.

Now therefore *it is ordered*, That pursuant to section 15 of the Shipping Act, 1916, Agreements 9718-3 and 9731-5 are approved through February 21, 1976;

It is further ordered, That pursuant to sections 15 and 22 of the Shipping Act, 1916 a proceeding is hereby instituted to determine whether said agreements are unjustly discriminatory or unfair as between carriers, detrimental to the commerce of the United States, or contrary to the public interests, and therefore whether said agreements should be approved, modified, or disapproved;

It is further ordered, That Japan Line, Ltd., Kawasaki Kisen Kaisha, Ltd., Mitsui O.S.K. Lines, Ltd., and Yamashita-Shinnihon Steamship Co., Nippon Yusen Kaisha and Showa Shipping Co., Ltd., are made respondents in this proceeding;

It is further ordered, That the Marine Cooks and Stewards Union be made petitioner in this proceeding;

It is further ordered, That this proceeding be assigned for public hearing before an Administrative Law Judge of the Commission's Office of Administrative Law Judges and that the hearing

be held at a date and place to be determined and announced by the Presiding Administrative Law Judge; *provided*, however, that the hearing shall commence no later than October 21, 1975, and that an initial decision shall be issued no later than December 21, 1975;

It is further ordered, That (1) a copy of this order be forthwith served upon the respondents and petitioner herein, and upon the Commission's Bureau of Hearing Counsel, and published in the FEDERAL REGISTER, and (2) the respondents, petitioner, and Hearing Counsel be duly served with notice of the time and place of hearing.

All persons (including individuals, corporations, associations, firms, partnerships and public bodies) having an interest in this proceeding and desiring to intervene herein should notify the Secretary of the Commission promptly and file petitions for leave to intervene in accordance with Rule 5(1) of the Commission's Rules of Practice and Procedure (46 C.F.R. 502.72) with a copy to all parties to the proceeding.

By the Commission.

[SEAL] JOSEPH C. POLKING,
Assistant Secretary.

[FR Doc.75-22272 Filed 8-21-75; 8:45 am]

[No. 75-31]

CSC INTERNATIONAL, INCORPORATED V. WATERMAN STEAMSHIP CORPORATION

Notice of Filing of Complaint

AUGUST 19, 1975.

Notice is hereby given that a complaint filed by CSC International, Incorporated against Waterman Steamship Corporation was served August 19, 1975. The complaint alleges that complainant has been subjected to payment of an ocean freight rate which is unjust and unreasonable and in violation of section 18(b) (3) of the Shipping Act, 1916.

Hearing in this matter shall commence on or before February 18, 1976.

JOSEPH C. POLKING,
Assistant Secretary.

[FR Doc.75-22269 Filed 8-21-75; 8:45 am]

FEDERAL POWER COMMISSION

[Docket Nos. E-8769, E-8770, E-8008, E-9119]

FLORIDA POWER & LIGHT CO.

Notice of Compliance Filing

AUGUST 19, 1975.

Take notice that on July 15, 1975, Florida Power & Light Company (FP&L) filed a letter requesting the Commission to accept the letter agreements with Florida Power Corporation, the City of Fort Pierce, Florida, the Orlando Utilities Commission, the Tampa Electric Company, and the City of Vero Beach, Florida, for emergency service from gas turbine units, filed in Docket No. E-8769, as of August 13, 1973. FP&L also requests the Commission to accept the Contract for Interchange Service between FP&L and Jacksonville Electric Authority, filed

in Docket No. E-8770, as of October 31, 1973, and the Contract for Interchange Service between FP&L and the Fort Pierce Utilities Authority, filed in Docket No. E-9119, as of May 1, 1974.

FP&L states that it agrees that the rates charged under the aforementioned agreements will be subject to refund as of the various proposed effective dates listed above, pending final disposition of the proceedings directed by the Commission in its Order of July 3, 1975.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before August 26, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-22334 Filed 8-20-75; 9:47 am]

NATIONAL ADVISORY COUNCIL ON ECONOMIC OPPORTUNITY MEETING

AUGUST 19, 1975.

A committee of the National Advisory Council on Economic Opportunity, authorized by Section 605 of the Community Services Act of 1974, will hold a one-day Council work session at its offices at 1016 16th Street, N.W. (room 601), Washington, D.C. The work session will begin at 9:30 a.m. on Monday, September 15, 1975 and is open to the public.

The committee will discuss and make recommendations about issues that might be considered for the annual report of the Council.

We are printing the above information in the FEDERAL REGISTER as required by Section 9 of the Federal Advisory Committee Act of 1972.

JOSEPH A. DOOLING,
Chairman,
Advisory Council Committee.

[FR Doc.75-22248 Filed 8-21-75; 8:45 am]

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES PUBLIC MEDIA ADVISORY PANEL (BICENTENNIAL)

Notice of Meeting

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92-463), notice is hereby given that a closed meeting of the Public Media Advisory Panel (Bicentennial) to the National Council on the Arts will be held on September 13-15, 1975 from 9:00 a.m.-

5:30 p.m. all three days. On September 13 the meeting will be held in the 13th floor conference room and on September 14 and 15 the meeting will be held in the 14th floor conference room of the Columbia Plaza Office Building, 2401 E Street, N.W. Washington, D.C.

This meeting is for the purpose of Panel review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965 as amended, including discussion of information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman published in the FEDERAL REGISTER of June 16, 1975 this meeting, which involves matters exempt from the requirements of public disclosure under the provisions of the Freedom of Information Act (5 U.S.C. 552(b) (4), (5)), will not be open to the public.

Further information with reference to this meeting can be obtained from Mrs. Eleanor A. Snyder, Acting Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call (202) 634-6110.

ROBERT M. SIMS,
*Administrative Officer, National
Endowment for the Arts, National
Foundation on the Arts
and the Humanities.*

[FR Doc.75-22259 Filed 8-21-75;8:45 am]

VISUAL ARTS ADVISORY PANEL

Notice of Meeting

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92-463), notice is hereby given that a closed meeting of the Visual Arts Advisory Panel to the National Council on the Arts will be held on September 8-10, 1975 from 9:00 a.m.-5:30 p.m. both days in the 11th floor conference room of the Columbia Plaza Office Building, 2401 E Street, N.W., Washington, D.C.

This meeting is for the purpose of Panel review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman published in the FEDERAL REGISTER of June 16, 1975 this meeting, which involves matters exempt from the requirements of public disclosure under the provisions of the Freedom of Information Act (5 U.S.C. 552(b) (4), (5)), will not be open to the public.

Further information with reference to this meeting can be obtained from Mrs. Eleanor A. Snyder, Acting Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call (202) 634-6110.

ROBERT M. SIMS,
*Administrative Officer, National
Endowment for the Arts, National
Foundation on the Arts
and the Humanities.*

[FR Doc.75-22260 Filed 8-21-75;8:45 am]

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-80]

COLORADO STATE UNIVERSITY

Intent To Issue Order Authorizing Dismantling of Facility

By application dated July 14, 1975, the Colorado State University requested authorization to dismantle the AGN 201 Training Reactor in accordance with their dismantling plan.

The Commission is reviewing the application in accordance with the provisions of the Commission's regulations. In particular, the Commission is evaluating the safety and potential impact on the environment of the proposed activities.

Accordingly, consideration will be given to the issuance of an appropriate order after September 8, 1975, to authorize the Colorado State University to dismantle the AGN Training Reactor covered by Facility License No. R-26.

Dated at Bethesda, Maryland, this 15th day of August 1975.

For the Nuclear Regulatory Commission.

KARL R. GOLLER,
*Assistant Director for Operating
Reactors, Division of Reactor
Licensing.*

[FR Doc.75-22235 Filed 8-21-75;8:45 am]

[Docket No. 50-245]

CONNECTICUT LIGHT AND POWER CO., ET AL

Issuance of Amendment to Provisional Operating License

In the matter of Connecticut Light and Power Co., the Hartford Electric Light Co., Western Massachusetts Electric Co., and the Northeast Nuclear Energy Co.

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 8 to Facility Operating License No. DPR-21 issued to Northeast Nuclear Energy Company which revised Technical Specifications for operation of the Millstone Nuclear Power Station, Unit 1, located in Waterford, Connecticut. The amendment is effective as of its date of issuance.

The amendment permits modification to the Technical Specifications of the Standby Gas Treatment System to provide additional limiting conditions for operation and surveillance requirements.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

For further details with respect to this action, see (1) the application for amend-

ment dated January 30, 1975, (2) Amendment No. 8 to License No. DPR-21, with Change No. 21, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Waterford Public Library, Rope Ferry Road, Route 156, Waterford, Connecticut 06385.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 15th day of August 1975.

For the Nuclear Regulatory Commission.

GEORGE LEAR,
*Chief Operating Reactors
Branch No. 3, Division of
Reactor Licensing.*

[FR Doc.75-22236 Filed 8-21-75;8:45 am]

[Docket Nos. 50-250 and 50-251]

FLORIDA POWER AND LIGHT CO.

Issuance of Amendments to Facility Operating Licenses

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendments Nos. 12 and 11, respectively, to Facility Operating Licenses Nos. DPR-31 and DPR-41 issued to Florida Power and Light Company for operation of the Turkey Point Nuclear Generating Units 3 and 4, located in Dade County, Florida. The amendments are effective as of the date of issuance.

These amendments modify the specified horizontal and dome tendons to be tested during the Unit 4 containment structure tendon surveillance test program so that tendons are not specified which are either inaccessible due to physical obstructions or inaccessible during reactor operation. Because Units 3 and 4 share joint Technical Specifications, Specifications for Unit 3 have been modified to reflect the revisions to the Unit 4 Technical Specifications. However, the specified tendon surveillance test program for Unit 3 remains unchanged.

The application for the amendments complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendments. Prior public notice of these amendments is not required since the amendments do not involve a significant hazards consideration.

For further details with respect to this action, see (1) the application for amendments dated June 13, 1975, and supplemental letter dated July 11, 1975, (2) Amendment No. 12 to License No. DPR-31 and Amendment No. 11 to License No. DPR-41, with Change No. 24, and (3) the Commission's related Safety Evaluation. All of these items are available for

public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Environmental & Urban Affairs Library, Florida International University, Miami, Florida.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this August 15, 1975.

For the Nuclear Regulatory Commission.

GEORGE LEAR,
Chief, Operating Reactors
Branch No. 3, Division of
Reactor Licensing.

[FR Doc.75-22237 Filed 8-21-75;8:45 am]

[Docket No. 50-285]

OMAHA PUBLIC POWER DISTRICT
Issuance of Amendments to Facility
Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 6 to Facility Operating License No. DPR-40 issued to Omaha Public Power District which revised Technical Specifications for operation of the Fort Calhoun Station, Unit 1, located in Washington County, Nebraska. The amendment is effective as of its date of issuance.

The amendment changes the Technical Specifications to revise specified provisions of the Inservice Inspection Program for Ungrouped Tendons relating to: (1) the frequency of inspection, (2) the procedures for inspection, and (3) the requirements for reporting inspection results.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

For further details with respect to this action, see (1) the application for amendment dated August 9, 1974, (2) Amendment No. 6 to License No. DPR-40, with Change No. 12 and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Blair Public Library, 1655 Lincoln Street, Blair, Nebraska.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission,

Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this August 15, 1975.

For the Nuclear Regulatory Commission.

GEORGE LEAR,
Chief, Operating Reactors
Branch No. 3, Division of
Reactor Licensing.

[FR Doc.75-22238 Filed 8-21-75;8:45 am]

[Dockets Nos. 50-259 and 50-260]

TENNESSEE VALLEY AUTHORITY
Issuance of Amendments to Facility
Operating Licenses

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 13 to Facility Operating License No. DPR-33 and Amendment No. 10 to Facility Operating License No. DPR-52 issued to Tennessee Valley Authority which revised Technical Specifications for operation of the Browns Ferry Nuclear Plant, Units 1 and 2, located in Limestone County, Alabama. The amendments are effective as of July 17, 1975.

The amendments revise the Technical Specifications to allow control rod movement with one fuel assembly in the core.

The application for these amendments complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter 1, which are set forth in the license amendments. Prior public notice of these amendments is not required since the amendments do not involve a significant hazards consideration.

For further details with respect to this action, see (1) the application for amendment dated July 17, 1975, (2) Amendment No. 13 to License No. DPR-33 and Amendment No. 10 to License No. DPR-52 with Change No. 13, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW, Washington, D.C., and at the Athens Public Library, South and Forrest, Athens, Alabama 35611.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 15th day of August 1975.

For the Nuclear Regulatory Commission.

THOMAS V. WAMBACH,
Acting Chief, Operating Re-
actors Branch No. 1, Division
of Reactor Licensing.

[FR Doc.75-22239 Filed 8-21-75;8:45 am]

[Docket No. 50-537]

PROJECT MANAGEMENT CORP., TENNESSEE VALLEY AUTHORITY (CLINCH RIVER BREEDER REACTOR PLANT)

**Rescheduling Special Prehearing
Conference**

Pursuant to request of counsel, pointing out that the date scheduled for the special prehearing conference (September 15, 1975) falls on Yom Kippur, the previously scheduled special prehearing conference in the above-captioned proceeding is hereby rescheduled for Tuesday, September 16, 1975, at 10 a.m. local time at the U.S. Bankruptcy Courtroom, Room 214, Post Office Building, Main Street, Knoxville, Tennessee 37901. The special prehearing conference will consider the matters and issues described in the original Order therefor, which notice and order is incorporated herein by reference.

Dated at Bethesda, Maryland, this 18th day of August 1975.

It is so ordered.

The Atomic Safety and Licensing Board.

MARSHALL E. MILLER,
Chairman.

[FR Doc.75-22240 Filed 8-21-75;8:45 am]

[Docket No. 50-271]

VERMONT YANKEE NUCLEAR POWER CORP. (VERMONT YANKEE NUCLEAR POWER STATION)

Order for Modification of License

I.

Vermont Yankee Nuclear Power Corporation (the licensee) is the holder of Facility Operating License No. DPR-28 which authorizes operation of the Vermont Yankee Nuclear Power Station (the facility) at steady-state reactor core power levels not in excess of 1593 megawatts thermal (rated power). The facility is a boiling water reactor (BWR) located near Vernon, Vermont.

II.

1. On July 23, 1975, the Nuclear Regulatory Commission (the Commission) issued an "Order for Modification of License" (40 FR 32180, July 31, 1975) which confirmed a plan for limited additional operation of the facility. As detailed in the Order, the facility's channel box wear, as indicated by the noise-to-signal ratio recorded by the traversing incore probe (TIP), had exceeded the remedial action threshold. The remedial plan confirmed by the Order contemplated operation of the facility for a limited period of time (until August 3, 1975) at not more than 80% of rated core power and 70% of rated core flow, provided the TIP noise-to-signal ratio at those levels did not exceed 0.05. In addition, the Order permitted operation up to full flow and power for a brief period of time as necessary to obtain baseline TIP data.

2. On August 1, 1975, the Commission issued an "Order for Modification of License" (40 FR 33739, August 11, 1975) which modified the July 23, 1975 Order to extend operation for an additional three days until August 6, 1975. The basis for this action was the licensee's request dated July 31, 1975, made at the behest of the New England Power Exchange based upon a serious power shortage resulting from the unscheduled outage of several units and forecasted weather conditions. The Commission's staff, in its August 1, 1975 evaluation of the request, concluded that the recently obtained TIP traces did not show any accelerated channel box wear, and that operation of Vermont Yankee for an additional three days beyond the period contemplated by our previous safety evaluation was acceptable since no appreciable additional wear would be incurred.

3. By its letter dated July 17, 1975, the licensee formally proposed a plan, previously discussed with the NRC staff, setting forth a course of remedial action. The plan, as modified by the licensee's letter dated July 31, 1975, entailed continuation of operation at 80% of rated core power and 70% of rated flow until a shutdown not later than August 6, 1975, with the exception of a brief period of operation at full flow and power immediately prior to shutdown as necessary to obtain baseline TIP data for use in connection with the inspection during the shutdown and in connection with future operations. During the shutdown, worn channel boxes are to be replaced as necessary, and plugs to be inserted in the bypass holes. The reactor was shut down on August 6, 1975, for visual inspection of the channel boxes and the necessary repairs. The reactor will not be returned to power without further authorization from the NRC. Accordingly, it is appropriate to delete the conditions added by the August 1, 1975 Order. The NRC staff believes that the licensee's program of inspection and repair is appropriate, under the circumstances, and should be confirmed by NRC Order.

4. By letter dated July 30, 1975,¹ Vermont Yankee provided details relating to the installation of core bypass flow plugs in the lower core plate and supplied analyses to demonstrate the adequacy of such plugs and the adequacy of the procedures for plug installation.

5. The installation of the core bypass flow plugs in the lower core plate is designed to reduce the instrument tube-channel box interaction that produced the unacceptable wear. The enclosure to the licensee's letter of July 30, 1975, lists a total of 75 channels that were inspected during normal refueling outages in seven

¹ Copies of (1) the July 30, 1975 filing by the licensee, and (2) the NRC staff Safety Evaluation of Mechanical Plugs to be Inserted in the Vermont Yankee Nuclear Power Station and the documents referenced therein, are available for public inspection in the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and are being placed in the Brooks Memorial Library, 224 Main Street, Brattleboro, Vermont.

plants that have instrument thimbles similar to those in the Vermont Yankee reactor, but that do not have flow bypass holes. The bypass flow for these plants enters through clearances in the fuel assembly and fittings which is similar to the proposed Vermont Yankee configuration with plugged bypass flow holes. For this configuration, no significant wear was observed at the corners of the channel boxes adjacent to the instrument thimbles.

6. Plugs identical to those proposed for the Vermont Yankee reactor have previously been installed in the Vermont Yankee and Pilgrim reactors in 1973 and 1974, respectively, to eliminate the vibration of temporary control curtains that caused channel box wear in those reactors. They have also been installed in the Duane Arnold reactor to mitigate channel box wear. The plugs in the Vermont Yankee reactor were removed at the time that the temporary curtains were removed after ten months of successful service. In addition, the General Electric Company has conducted tests to demonstrate the adequacy of the plug design. These tests included full flow mockup tests that demonstrated that there is negligible leakage flow through the plugged holes. The NRC staff has reviewed the design, the testing, and the previous experience with the proposed plugs in the Vermont Yankee and Pilgrim reactors, and in its concurrently issued Safety Evaluation of Mechanical Plugs to be Inserted in the Vermont Yankee Nuclear Power Station, the staff concluded that the mechanical design of the proposed bypass flow plugs is acceptable and that the plugs will reduce the vibration of the instrument thimbles caused by flow through the bypass holes and that installation of the plugs should be authorized. Conditions for subsequent operation of the facility with the plugs installed, are under review.

III.

Accordingly, pursuant to the Atomic Energy Act of 1954, as amended, and the Commission's Rules and Regulations in 10 CFR Parts 2 and 50, it is ordered, That Facility Operating License No. DPR-28 is hereby amended by substituting the following provision for the provisions set out in Appendix A to the Commission's Order for Modification of License dated August 1, 1975:

By reason of the circumstances outlined in this Order for Modification of License, the licensee is authorized to install bypass hole plugs in the facility's lower core plate. The licensee shall not, without prior written approval of the Director, Office of Nuclear Reactor Regulation, return the facility to operation following the shutdown.

Dated at Bethesda, Maryland, this August 15, 1975.

For The Nuclear Regulatory Commission.

BEN C. RUSCHE,
Director, Office of
Nuclear Reactor Regulation.

[FR Doc.75-22241 Filed 8-21-75;8:45 am]

OFFICE OF MANAGEMENT AND BUDGET

ADVISORY COMMITTEE ON THE BALANCE OF PAYMENTS STATISTICS PRESENTATION

Extension

Determination Pursuant to Executive Order 11769 (Advisory Committee Management) and Public Law 92-463 (Federal Advisory Committee Act).

Pursuant to the Federal Advisory Committee Act (Public Law 92-463), I hereby certify that it is in the public interest to extend to September 30, 1976 the period of operation of the Advisory Committee on the Balance of Payments Statistics Presentation of the Office of Management and Budget in connection with the duties imposed upon the Director by the Budget and Accounting Procedures Act of 1950 (Public Law 81-784, Section 103).

The objectives and scope of the Advisory Committee on the Balance of Payments Statistics Presentation is to provide advice on improvements in the presentation of the balance of payments accounts, which are developed and published by the Department of Commerce, to facilitate a more meaningful interpretation of the U.S. balance of payments and exchange rate developments each quarter.

The authority to make determinations as to the formation and utilization of advisory committees and panels of the Advisory Committee on the Balance of Payments Statistics Presentation is hereby delegated to the Deputy Associate Director for Statistical Policy. This authority may be redelegated.

Dated: August 14, 1975.

PAUL H. O'NEILL,
Acting Director.

[FR Doc.75-22252 Filed 8-21-75;8:45 am]

ADVISORY COMMITTEE ON GNP DATA IMPROVEMENT

Extension

Determination Pursuant to Executive Order 11769 (Advisory Committee Management) and Public Law 92-463 (Federal Advisory Committee Act).

Pursuant to the Federal Advisory Committee Act (Public Law 92-463), I hereby certify that it is in the public interest to extend to March 31, 1976 the period of operation of the Advisory Committee on GNP Data Improvement of the Office of Management and Budget in connection with the duties imposed upon the Director by the Budget and Accounting Procedures Act of 1950 (Public Law 81-784, Section 103).

The Budget and Accounting Procedures Act of 1950 in Section 103 makes the Director of the Office of Management and Budget responsible for the development of programs for the improved gathering, compiling, analyzing, publishing, and disseminating of statistical information. The GNP statistics, which are widely used by Federal policy makers and private economists alike, have recently

been subject to revisions which have impaired their usefulness in making economic policy decisions. These revisions have been necessary because some of the basic source data used in making GNP estimates are deficient in accuracy, completeness, or timeliness. Therefore, the Advisory Committee on GNP Data Improvement was established to conduct an intensive investigation into the data presently being utilized and to make recommendations as to what improvements are needed or what alternate sources should be developed.

The Committee is composed of government and nongovernment experts who, except for the Chairman, serve without compensation except for travel expenses. The Chairman serves as Staff Director, for which he receives salary when actually employed. Other staff consist of a paid secretary and other Federal agency personnel who are assigned on non-reimbursable detail.

The determination will terminate on March 31, 1976.

Dated: August 14, 1975.

PAUL H. O'NEILL,
Acting Director.

[FR Doc.75-22253 Filed 8-21-75;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[File No. 500-1]

VALHI, INC.

Suspension of Trading

AUGUST 15, 1975.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Valhi, Inc. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to Section 12(k) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from 11:55 a.m. (EDT) on August 15, 1975 and terminating at midnight (EDT) August 24, 1975.

By the Commission.

SHIRLEY E. HOLLIS,
Assistant Secretary.

[FR Doc.75-22230 Filed 8-21-75;8:45 am]

[Release Nos. 34-11593; IC-8893;
File No. SR-13]

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC. ("NASD")

Filing by NASD of Proposed Maximum Sales Load Rule

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), as amended by Pub. L. No. 94-29, 16 (June 4, 1975), notice is hereby given that on July 16, 1975, the NASD filed with the Securities and Exchange Commission the following proposed rule change:

PROPOSED AMENDMENT TO ARTICLE III, SECTION 26 OF RULES OF FAIR PRACTICE

At page 2104 of the Association's Manual, Rules of Fair Practice, strike paragraph (a) and substitute the following:

Application

(a) Except for the provisions of paragraph (d), this rule shall apply exclusively to the activities of members in connection with the securities of an "open-end management investment company" as defined in the Investment Company Act of 1940.

(b) *Definitions:*

Restate all of the present language and add the following:

(4) The term "Rights of Accumulation" as used in paragraph (d) of this Rule shall mean a scale of reducing sales charges in which the sales charge applicable to the securities being purchased is based upon the aggregate quantity of securities previously purchased or acquired and then owned plus the securities being purchased. The quantity of securities owned shall be based upon:

(a) The current value of such securities (measured by either net asset value or maximum offering price); or

(b) Total purchases of such securities at actual offering prices; or

(c) The higher of the current value or the total purchases of such securities.

The quantity of securities owned may also include redeemable securities of other registered investment companies having the same principal underwriter.

(5) The term "any person" as used in this rule shall mean "any person" as defined in paragraph (a) or "purchaser" as defined in paragraph (b) of Rule 22d-1 under the Investment Company Act of 1940.

At page 2105 strike paragraph (d) and substitute the following:

Sales Charge

(d) No member shall offer or sell the shares of any open-end investment company or any "single payment" investment plan issued by a unit investment trust registered under the Investment Company Act of 1940 if the public offering price includes a sales charge which is excessive, taking into consideration all relevant circumstances. Sales charges shall be deemed excessive if they do not conform to the following provisions:

(1) The maximum sales charge on any transaction shall not exceed 8.5% of the offering price.

(2) (a) Dividend reinvestment shall be made available at net asset value per share to "any person" who requests such reinvestment at least ten days prior to the record date, subject only to the right to limit the availability of dividend reinvestment to holders of securities of a stated minimum value, not greater than \$1200, and provided that a reasonable service charge may be applied against each reinvestment of dividends.

(b) If dividend reinvestment is not made available on terms at least as favorable as those specified in subsection (2)(a), the maximum sales charge on any transaction shall not exceed 7.25% of offering price.

(3) (a) Rights of Accumulation (cumulative quantity discounts) shall be made available to "any person" for a period of not less than ten (10) years from the date of first purchase in accordance with one of the alternative quantity discount schedules provided in subsection (4)(a) below, as in effect on the date the right is exercised.

(b) If Rights of Accumulation are not made available on terms at least as favorable

as those specified in subsection (3)(a), the maximum sales charge on any transaction shall not exceed:

1. 8.0% of offering price if the provisions of subsection (2)(a) are met; or

2. 6.75% of offering price if the provisions of subsection (2)(a) are not met.

(4) (a) Quantity discounts shall be made available on single purchases by "any person" in accordance with one of the following two alternatives:

1. A maximum sales charge of 7.75% on purchases of \$10,000 or more and a maximum sales charge of 6.25% on purchases of \$25,000 or more; or

2. A maximum sales charge of 7.50% on purchases of \$15,000 or more and a maximum sales charge of 6.25% on purchases of \$25,000 or more.

(b) If quantity discounts are not made available on terms at least as favorable as those specified in subsection (4)(a), the maximum sales charge on any transaction shall not exceed:

1. 7.75% of offering price if the provisions of subsections (2)(a) and (3)(a) are met;

2. 7.25% of offering price if the provisions of subsection (2)(a) are met but the provisions of subsection (3)(a) are not met;

3. 6.50% of offering price if the provisions of subsection (3)(a) are met but the provisions of subsection (2)(a) are not met;

4. 6.25% of offering price if the provisions of subsection (2)(a) and (3)(a) are not met.

(5) Every member who is an underwriter of shares of an open-end investment company or of a "single payment" investment plan issued by a unit investment trust shall file with the Investment Companies Department of the Association, prior to implementation, the details of any changes or proposed changes in the sales charges on any such securities, if the changes or proposed changes would increase the effective sales charge on any transaction. Such filings shall be clearly identified as an "Amendment to Investment Company Sales Charges".

PROPOSED AMENDMENT TO ARTICLE III, SECTION 29 OF RULES OF FAIR PRACTICE

At page 2109-5 of the Association's Manual, Rules of Fair Practice, strike paragraph (c) and substitute the following:

Sales Charges

(c) No member shall participate in the offering or in the sale of variable annuity contracts if the purchase payment includes a sales charge which is excessive:

(1) Under contracts providing for multiple payments a sales charge shall not be deemed to be excessive if the sales charge stated in the prospectus does not exceed 8.5% of the total payments to be made thereon as of a date not later than the end of the twelfth year of such payments, provided that if a contract be issued for any stipulated shorter payment period, the sales charge under such contract shall not exceed 8.5% of the total payments thereunder for such period.

(2) Under contracts providing for single payments a sales charge shall not be deemed to be excessive if the prospectus sets forth a scale of reducing sales charges related to the amount of the purchase payment which is not greater than the following schedule: First \$25,000—8.5% of purchase payment Next \$25,000—7.5% of purchase payment Over \$50,000—6.5% of purchase payment

(3) Under contracts where sales charges and other deductions from purchase payments are not stated separately in the prospectus the total deductions from purchase payments (excluding those for insurance premiums and premium taxes) shall be treated as a sales charge for purposes of this

rule and shall not be deemed to be excessive if they do not exceed the percentages for multiple and single payment contracts described in paragraphs (1) and (2) above.

(4) Every member who is an underwriter and/or an issuer of variable annuities shall file with the Variable Contracts Department of the Association, prior to implementation, the details of any changes or proposed changes in the sales charges of such variable annuities, if the changes or proposed changes would increase the effective sales charge on any transaction. Such filings should be clearly identified as an "Amendment to Variable Annuity Sales Charges".

STATEMENT OF BASIS AND PURPOSE

The basis and purpose of the foregoing proposed rule change is as follows:

The authority for the proposed amendments is contained in Section 22(b) of the Investment Company Act of 1940 which empowers the Association to adopt rules to prevent its members from selling to the public redeemable securities issued by a registered investment company at prices which include an excessive sales load and allows for reasonable compensation for sales personnel, broker/dealers, and underwriters, and for reasonable sales loads to investors.

The purpose of the amendments is to establish a structure of maximum sales charges which will give effect to, among other things, the amount of the purchase and special investor privileges or benefits associated with a particular mutual fund or variable annuity. The Association believes that the amendments are necessary and appropriate in order to implement the provisions of Section 22(b) of the Investment Company Act.

In its letter filing the proposed amendments, the NASD stated its view that the proposed amendments "comply with Section 22(b) of the Investment Company Act of 1940, are consistent with the provisions of Section 15A of the Securities Exchange Act of 1934, and are necessary and appropriate for the protection of investors and the public interest . . . and that such amendments will comply with the provisions of the Securities Act Amendments of 1975 and . . . do not impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Securities Exchange Act of 1934."¹

On or before September 26, 1975, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the above-mentioned self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Securities and

¹ NASD File No. 16-1-2-85, July 16, 1975.

Exchange Commission, Washington, D.C. 20549.

All interested persons are referred to the complete NASD filings with respect to the foregoing and all written submissions, copies of which will be available for inspection in the Public Reference Room, 1100 L Street, N.W., Washington, D.C. Copies of such filing will also be available for inspection at the principal office of the NASD, 1735 K St., N.W., Washington, D.C. 20006. All submissions should refer to the file number referenced in the caption above and should be submitted on or before September 8, 1975.

By the Commission.

SHIRLEY E. HOLLIS,
Assistant Secretary.

AUGUST 14, 1975.

[FR Doc.75-22222 Filed 8-21-75; 8:45 am]

VETERANS ADMINISTRATION QUALITY ASSURANCE FOR DRUGS, BIOLOGICS, CHEMICALS, AND REAGENTS Interagency Agreement With the Food and Drug Administration

CROSS REFERENCE: For a document dealing with the above captioned matter issued by the Food and Drug Administration, see FR Doc. 75-22179, supra.

DEPARTMENT OF LABOR

Manpower Administration

MIGRANT AND OTHER SEASONALLY EMPLOYED FARMWORKER PROGRAMS

Submission of Preapplication for Federal Assistance for Fiscal Year 1976

Pursuant to 29 CFR 97.211, the Manpower Administration announces the list of applicants intending to apply for Fiscal Year 1976 funds for Migrant and Other Seasonally Employed Farmworker Programs authorized by section 303 of the Comprehensive Employment and Training Act (CETA) of 1973. The list contains the names and addresses of all applicants which have submitted the Preapplication for Federal Assistance Form, Part I, OMB, No. 80-R0187 by August 1, 1975.

Organizations listed below are eligible to submit a funding request as described at 29 CFR 97.214. However, no determination has been made as to the eligibility of applicants listed to receive CETA section 303 funds. The determination of eligibility to receive funds will be made during the funding request review (29 CFR 97.215).

Applicants not listed which have submitted a Preapplication for Federal Assistance Form Part I, by August 1, 1975, should contact the U.S. Department of Labor at the address provided in 29 CFR 97.214(a) immediately. Pursuant to 29 CFR 97.211, applicants wishing to comment on the funding request of other applicants in the same State, must request a copy of the funding request from the applicant concerned.

The following is the list of applicants which have submitted Preapplications for Federal Assistance Forms, Part I, by State:

Preapplicants for CETA Section 303 Funding

REGION: IV (ATLANTA)

STATE: ALABAMA

Alabama Migrant and Seasonal Farmworkers Council, Inc., 404 East South Boulevard, Montgomery, Alabama 36105.
Autauga, Elmore & Montgomery Manpower Consortium, Suite 320, 10 High Street, Montgomery, Alabama 36104.
State of Alabama Department of Industrial Relations, Industrial Relations Building, Montgomery, Alabama 36130.

REGION: IX (SAN FRANCISCO)

STATE: ARIZONA

Arizona Job Colleges, Inc., 1665 N. Pinal Avenue, Casa Grande, Arizona 85222.
Migrant Opportunities, Inc., 8611 South Central Avenue, Phoenix, Arizona 85040.
Portable Practical Education Preparation, 2232 South Campbell Avenue, Tucson, Arizona 85713.
Opportunities Industrialization Center of America, 100 West Coulter Street, Philadelphia, Pennsylvania 19144.

REGION: VI (DALLAS)

STATE: ARKANSAS

Arkansas Council of Farm Workers, Inc., 1200 Westpark Drive, Little Rock, Arkansas 72204.

REGION: IX (SAN FRANCISCO)

STATE: CALIFORNIA

Fresno City-County Manpower Commission, 1725 Fuitoa Street, Fresno, California 93721.
Orange County Manpower Commission, 433 Civic Center Drive West, Santa Ana, California 92701.
Opportunities Industrialization Center, Central Coast Counties, 425 South Market Street, San Jose, California 95113.
Sacramento Consilio, Inc., 1912 F Street, Sacramento, California 95814.
Proteus Adult Training, Inc., P.O. Box 727, 1640 W. Mineral King, Suite 204, Visalia, California 93277.
Employment Development Migrant Services, 800 Capitol Mall, Sacramento, California 95814.
Kern County Economic Opportunity Corporation, Manpower Division, 218-220 Eureka Street, Bakersfield, California 93305.
Campesinos Unidos, Inc., P.O. Box 203, Brawley, California 92227.
County of Los Angeles, Department of Personnel, Manpower Programs Division, 320 West Temple Street, Room 780, Los Angeles, California 90012.
Chicana Service Action Center, Inc., 1226 S. Atlantic Boulevard, Los Angeles, California 90022.
Economic Opportunity Commission of Yolo County, Inc., 511 Main Street, Suite 322, Woodland, California 95695.
Fabricasa, Inc., P.O. Box 280, Santa Rosa, California 95402.
San Diego State University Foundation, 5178 College Avenue, San Diego, California 92182.
Greater California Education Project, 841 West Belmont Avenue, Fresno, California 93728.
Tulare and Kings Counties, Comprehensive Manpower Agency, 1620 West Mineral King Avenue D, Visalia, California 93277.

Opportunities Industrialization Center, 302 South Blosser Road, Santa Maria, California 93454.

Mexican American Opportunity Foundation, Special Assistance Program, 615 California Avenue, Bakersfield, California 93304.

County of Santa Barbara, 105 East Anapamu Street, Santa Barbara, California 93101.

County of San Luis Obispo, Courthouse Annex, Rm. 217, San Luis Obispo, Calif. 93401.

Pilipino Bayanihan, Inc., 420 S. San Joaquin Street, Stockton, Calif. 95203.

Inland Manpower Association, 131 West "N" Street, Colton, California 92324.

The East Los Angeles Community Union, 1330 South Atlantic Boulevard, Los Angeles, California 90022.

Santa Clara Valley Employment and Training Board, 675 North First Street, Suite 412, San Jose, California 95112.

Fresno County Economic Opportunities, 2100 Tulare Street, Room 505, Fresno, California 93721.

County of Butte, Butte County Personnel, County Administration Building, Oroville, California 95965.

SER/Job for Progress, Inc., Department of Planning & Progress Development, 9841 Airport Boulevard, Los Angeles, California 90045.

Central Coast Counties Development Corp., 265 Center Avenue, Aptos, California 95003.

California Rural Legal Assistance, 1212 Market Street, San Francisco, California 94102.

Solano County EOC, Inc., P.O. Box 196, Fairfield, California 94533.

Greater L. A. Community Action Agency—Progress and Funding Development, 314 West 16th Street, Los Angeles, California 90012.

County of Ventura, Manpower Administration, Ventura, California 93003.

YA-KA-AMA Indian Education and Development, Inc., 6215 Eastside Road, Healdsburg, California 95448.

North Bay Human Development Corporation Division, Fabri Casa, Inc., 2426 Mendocina Avenue, Santa Rosa, California 94501 (Submitting 2 Funding Requests).

City of Stockton, City Hall, Stockton, California 95202.

Sacramento Area Economic Opportunity Council, 4170 Florin Road, Sacramento, California 95823.

D-Q University, P.O. Box 409, Davis, California 95616.

Merced County Community Action, P.O. Box 2085, 1715 L. Street, Third Street, Merced, California 95340.

REGION: VII (DENVER)

STATE: COLORADO

Colorado Rural Legal Services, 1644 Emerson Street, Denver, Colorado 80218.

State of Colorado, Dept. of Labor & Employment, Division of Manpower, 770 Grant Street, Denver, Colorado 80203.

Colorado Council on Migrant and Seasonal Agricultural Workers and Families, 665 Grant Street, Denver, Colorado 80203.

REGION: I (BOSTON)

STATE: CONNECTICUT

Connecticut State Department of Labor, 200 Folly Brook Blvd., Wethersfield, Connecticut 06109.

New England Farm Workers' Council, Inc., Operations Division, 3502—Main Street, Springfield, Massachusetts 01107.

REGION: III (PHILADELPHIA)

STATE: DELAWARE

Migrant and Seasonal Farmworkers Association, Inc., P.O. Box 33315, Raleigh, North Carolina 27606.

Todos Unidos (TU) Inc., 505 Washington Street, Wilmington, Delaware 19801.

Delmarva Ecumenical Agency, Rural Ministries Coalition, Blue Hen Mall, Dover, Delaware 19901.

REGION: IV (ATLANTA)

STATE: FLORIDA

Community Action Migrant Program, 3521 West Broward Blvd., Suite 10, Fort Lauderdale, Florida 33312.

Florida Department of Education/Vocational Division of Vocational Education, Capitol Building, Tallahassee, Florida 32304.

Palm Beach County, Florida, P.O. Box 1989, West Palm Beach, Florida 33401.

Florida, Balance of State, Office of Manpower Planning, 1801 S. Gadsden Street, Tallahassee, Florida 32301.

Central Region Community Development Board, Inc., P.O. Box 247, Auburndale, Florida 33823.

Orange County—Orlando Consortium, P.O. Box 2243, Orlando, Florida 32802.

Alachua County Board of Commissioners, Room 402, County Courthouse, Gainesville, Florida 32601.

Opportunities Industrialization Centers of America, 100 West Coulter Street, Philadelphia, Pennsylvania 19144.

REGION: IV (ATLANTA)

STATE: GEORGIA

Georgia Community Action Association, Inc., P.O. Drawer 1218, Moultrie, Georgia 31768.

Office of Governor, Georgia Department of Labor, 501 Pulliam Street, SE, Rm. 525, Atlanta, Georgia.

Georgia Farmworkers Ass. Prog., Route 5, Spence Field, Moultrie, Georgia 31768.

CSRA Economic Opportunity Authority, Inc., 2390 Walden Drive, Augusta, Georgia 30904.

Enrollment Services Program, Inc., 900 Linwood Blvd., Columbus, Georgia.

State Economic Opportunity Office, 618 Ponce deLeon Avenue, N.E., Atlanta, Georgia 30308.

Opportunities Industrialization Centers of America, 100 West Coulter Street, Philadelphia, Pennsylvania 19144.

REGION: IX (SAN FRANCISCO)

STATE: HAWAII

State of Hawaii, Office of the Governor, Dept. of Labor & Ind. Relations, OMP, 825 Milliani Street, Honolulu, Hawaii 96813.

REGION: X (SEATTLE)

STATE: IDAHO

Idaho Migrant Council, 415 South 8th Street, Boise, Idaho 83708.

REGION: V (CHICAGO)

STATE: ILLINOIS

Shawnee Consortium, P.O. Box 298, Karnak, Illinois.

Illinois Migrant Council, 19 West Jackson Blvd., Chicago, Illinois.

REGION: V (CHICAGO)

STATE: INDIANA

AMOS, Inc., 3655 North Pennsylvania Street, Indianapolis, Indiana 46205.

Indiana Office of Manpower Development, 215 North Senate Avenue, Indianapolis, Indiana 46202.

Fort Wayne Area Consortium, 830 City-County Building, Fort Wayne, Indiana 46802.

REGION: VII (KANSAS CITY)

STATE: IOWA

Migrant Action Program, Inc., 220 E. State Street, Mason City, Iowa 50401.

Iowa Association of Community Action Directors, Old Farm Bureau Building, Room 205, 507 Tenth Street, Des Moines, Iowa 50309.

REGION: VII (KANSAS CITY)

STATE: KANSAS

Kansas Employment Security Division, 401 Topeka, Topeka, Kansas 66603.

Kansas Council of Agricultural Workers and Low Income Families Inc., 205 W. Chestnut, Garden City, Kansas.

Office of the Governor, State of Kansas, Comprehensive Manpower Planning and Services Division, Suite 900, 535 Kansas Avenue, Topeka, Kansas 66603.

REGION: IV (ATLANTA)

STATE: KENTUCKY

AMOS, Inc., 3655 North Pennsylvania Street, Indianapolis, Indiana 46205.

Commonwealth of Kentucky, Department of Human Resources, Capitol Annex Building, Frankfort, Kentucky 40601.

REGION: VI (DALLAS)

STATE: LOUISIANA

Manpower, Education, and Training of Louisiana, Inc. (METL), 105 East Houston Street, Cleveland, Texas 77327.

REGION: I (BOSTON)

STATE: MAINE

Tribal Governors, Inc., Maine Indian Manpower Services, Orono, Maine 04473.

REGION: III (PHILADELPHIA)

STATE: MARYLAND

Employment Security Administration, 1100 N. Eutaw Street, Baltimore, Maryland 21201.

Migrant and Seasonal Farmworkers Association, Inc., P.O. Box 33315, 3929 Western Boulevard, Raleigh, North Carolina 27606.

REGION: I (BOSTON)

STATE: MASSACHUSETTS

New England Farm Workers' Council, Inc., Operations Division, 3502—Main Street, Springfield, Massachusetts 01107.

REGION: V (CHICAGO)

STATE: MICHIGAN

Urban League of Flint, 202 E. Boulevard Drive, Room 320, Flint, Michigan 48503.

United Migrants for Opportunity, Inc., 111 South Lansing, Mt. Pleasant, Michigan 48858.

REGION: V (CHICAGO)

STATE: MINNESOTA

Minnesota Migrant Council, 618½ South Second Street, St. Cloud, Minnesota 56301.

Migrants in Action, 1162 Silby Avenue, St. Paul, Minnesota 55104.

Opportunities Industrialization Centers of America, 100 West Coulter Street, Philadelphia, Pennsylvania 19144.

REGION: IV (ATLANTA)

STATE: MISSISSIPPI

Governor's Office—Education and Training, 1935 Lakeland Drive, Suite A, Jackson, Mississippi 39216.

Mississippi Delta Council for Farm Workers Opportunities, Inc., 1933 Fourth Street, Clarksdale, Mississippi 38814.

REGION: VII (KANSAS CITY)

STATE: MISSOURI

Mo. Division of Employment Section, 421 E. Dunklin, Jefferson City, Missouri 65101.

Rural Missouri, Inc., 418 Madison Street, Jefferson City, Missouri 65101.
Missouri Association for Community Action, Inc., 127A East High Street, Jefferson City, Missouri 65101.

REGION: VIII (DENVER)

STATE: MONTANA

Office of the Governor, State of Montana, Box 169, Helena, Montana.

REGION: VII (KANSAS CITY)

STATE: NEBRASKA

Mexican-American Commission, State of Nebraska, State Capitol, Lincoln, Nebraska 68509.

Migrant Action Program, Inc., 220 E. State Street, Mason City, Iowa 50401.

Nebraska Human Resources, Research Foundation, HEP, University of Nebraska, 501 North Tenth Street, Building 591, Lincoln, Nebraska 68508.

State of Nebraska, Department of Labor, 550 South 16th Street, Lincoln, Nebraska 68509.

REGION: IX (SAN FRANCISCO)

STATE: NEVADA

Governor, State of Nevada, Office of State Manpower Services, State Mail Room, Carson City, Nevada 89701.

REGION: I (BOSTON)

STATE: NEW HAMPSHIRE

Rockingham/Strafford Counties c/o Rockingham/Strafford, Manpower Administration, P.O. Box 426, Epping, New Hampshire 03042.

REGION: II (NEW YORK)

STATE: NEW JERSEY

Farmworkers Corporation of New Jersey, 5 South State Street, Vineland, New Jersey 08360.

Morris County Board of Chosen Freeholders, Morris County Courthouse, Morristown, New Jersey 07960.

Opportunities Industrialization Centers of America, 100 West Coulter Street, Philadelphia, Pennsylvania 19144.

REGION: VI (DALLAS)

STATE: NEW MEXICO

Home Education Livelihood Program, 983 San Pedro S.E., Albuquerque, New Mexico 87108.

REGION: II (NEW YORK)

STATE: NEW YORK

Research Foundation for and on Behalf of the State University College, New York State Migrant Center, Genesee, New York 14454.

Orleans Community Action Committee, 29 East Bank Street, Albion, New York 14411.

County of Ulster, Intergovernmental Coordination Office, Manpower Division, 300 Flatbush Avenue, Kingston, New York 12401.

Westchester—Putnam Consortium, County Office Building, White Plains, New York 10601.

Steuben County, Treasurers Department, Bath, New York 14810.

Program Funding, Inc., Suite 730 Powers Building, Rochester, New York 14614.

Suffolk County, Department of Labor, Veterans Memorial Highway, Hauppauge, New York 11787.

New York State Department of Labor on Behalf of Wayne County, Manpower Planning Secretariat, Room 563, Building 12, State Office Building Campus, Albany, New York 12226.

Orange County, 256-275 Main Street, Goshen, New York 10924.

Urban League of Long Island, Inc., Employment Services, 15A North Franklin Avenue, Hempstead, New York 11550.

REGION: IV (ATLANTA)

STATE: NORTH CAROLINA

City of Raleigh, P.O. Box 590, Raleigh, North Carolina 27602.

Migrant and Seasonal Farmworkers Association, Inc., P.O. Box 33315, Raleigh, North Carolina 27606.

Rural Advancement Fund, 2128 Commonwealth Avenue, Charlotte, North Carolina 28205.

State of North Carolina, Department of Administration, Office of Manpower Services, P.O. Box 1350, Raleigh, North Carolina 27602.

Opportunities Industrialization Centers of America, 100 West Coulter Street, Philadelphia, Pennsylvania 19144.

REGION: VIII (DENVER)

STATE: NORTH DAKOTA

Governor Arthur A. Link, State Capitol, Bismarck, North Dakota 58505.

North Dakota Migrant Council, Inc., 101 North Third Street, Grand Forks, North Dakota 58201.

REGION: V (CHICAGO)

STATE: OHIO

Manpower Department of Ashtabula County 4200 Park Avenue, Ashtabula, Ohio.

La Raza Unida de Ohio, 1616 East Wooster Street, Bowling Green, Ohio 43402.

Ashtabula County Community Action Agency, 4538½ Main Avenue, Ashtabula, Ohio.

REGION: VI (DALLAS)

STATE: OKLAHOMA

Oklahoma Rural Opportunities, Inc., CETA Title III Sec. 303 Div., P.O. Box 60126, Oklahoma City, Oklahoma 73106.

REGION: X (SEATTLE)

STATE: OREGON

Oregon Rural Opportunities, 5103 Portland Road, N.E., Salem, Oregon 97303.

Migrant and Indian Coalition for Community Coordinated Child Care, Inc., Route 1, Box 423, Hood River, Oregon 97031.

Colegio Cesar E. Chavez, Social Science Division, Mt. Angel, Oregon 97362.

REGION: III (PHILADELPHIA)

STATE: PENNSYLVANIA

Elton Jolly, Executive Director, Opportunities Industrialization Centers of America, 100 West Coulter Street, Philadelphia, Pennsylvania 19144.

Urban League of Lancaster Co., Inc., 58 N. Duke Street, Lancaster, Pennsylvania 17602.

Commonwealth of Pennsylvania, Department of Community Affairs, Harrisburg, Pennsylvania 17120.

Berks County Board of Commissioners, 6th and Court Streets, Reading, Pennsylvania 19601.

St. Martin Center, Inc., Minority Health Education Delivery System, 611 West 17th Street, Erie, Pennsylvania 16502.

REGION: II (PUERTO RICO)

STATE: PUERTO RICO

Commonwealth of Puerto Rico, Department of Labor, 414 Barbosa Avenue, Hato Rey, San Juan, Puerto Rico 00917.

REGION: I (BOSTON)

STATE: RHODE ISLAND

New England Farmworkers Council, Inc., Operations Division, 3502 Main Street, Springfield, Massachusetts 01107.

REGION: IV (ATLANTA)

STATE: SOUTH CAROLINA

South Carolina Resources Development Corporation, 371 South Liberty Street, Spartanburg, South Carolina 29301.

South Carolina Commission for Farm Workers, Inc., 134 Meeting Street, Charleston, South Carolina 29402.

Benedict College, Harden and Blanding Street, Columbia, South Carolina 29204.

Office of the Governor, State of South Carolina, Capitol Building, Columbia, South Carolina 29201.

The Committee for the Betterment of Poor People, Post Office Box 606, Hampton, South Carolina.

REGION: VIII (DENVER)

STATE: SOUTH DAKOTA

State of South Dakota, Department of Labor, Office of the Secretary, Foss Building, Pierre, South Dakota 57501.

Migrant Action Program, Inc., P.O. Box 778, Mason City, Iowa 50401

REGION: IV (ATLANTA)

STATE: TENNESSEE

Tennessee Opportunity Programs for Seasonal Farmworkers, Inc., 2803 Foster Avenue, Nashville, Tennessee 37211.

State of Tennessee Employment Security, 161 Eighth Avenue, North, Nashville, Tennessee 37203.

REGION: VI (DALLAS)

STATE: TEXAS

Economic Opportunities Development Corporation of S.A. and Bexar County Texas, 410 S. Main, San Antonio, Texas 78204.

Associated City-County Economic Development Corporation of Hidalgo Co., P.O. Box 1198, Edinburg, Texas 78539.

Governor's Office of Migrant Affairs, 211 E. 14th Street, Sam Houston Building, Room 109, Austin, Texas 78711.

MET, Inc., 105 East Houston Street, Cleveland, Texas 77327.

Juarez Lincoln University, 715 East First Street, Austin, Texas 78701.

Community Action Council of South Texas, 420 E. Main, Rio Grande City, Texas 78582.

Coastal Bend Migrant Council, Inc., 5001 Ambassador Row, Corpus Christi, Texas.

El Paso City/County Consortium, City of El Paso, Manpower Planning, 1716 E. Yandell, El Paso, Texas 79902.

SER/Jobs for Progress, Department of Planning and Program Development, 9841 Airport Boulevard, Los Angeles, California.

Project Bravo, Inc., 716 N. Piedras, El Paso, Texas 79903.

Opportunities Industrialization Centers of America, 100 West Coulter Street, Philadelphia, Pennsylvania 19144.

REGION: VIII (DENVER)

STATE: UTAH

State of Utah, Office of Manpower Affairs, 640-B Wilmington Avenue, Salt Lake City, Utah 84106.

REGION: I (BOSTON)

STATE: VERMONT

Agency of Human Services, Office of Manpower Services, 79 River Street, Montpelier, Vermont 05602.

New England Farmworkers' Council, Inc., Operations Division, 3502—Main Street, Springfield, Massachusetts 01107.

REGION: III (PHILADELPHIA)

STATE: VIRGINIA

Division of State Planning and Community Affairs, 109 Governor Street, 1010 James Madison Building, Richmond, Virginia 23219.

Migrant and Seasonal Farmworkers Association, Inc., P.O. Box 33315, 3929 Western Boulevard, Raleigh, North Carolina 27606.

REGION: X (SEATTLE)

STATE: WASHINGTON

Northwest Washington Legal Services, 1712½ Hewitt Avenue, Everett, Washington 98201.
Northwest Rural Opportunities, Manpower, 305 Euclid Avenue, Grandview, Washington 98930.

Office of Community Development, Employment and Training Section, General Administration Building, Olympia, Washington 98504.

Opportunities Industrialization Center of America, 100 West Coulter Street, Philadelphia, Pennsylvania 19144.

REGION: III (PHILADELPHIA)

STATE: WEST VIRGINIA

Governor's Manpower Office, Capitol Building, Charleston, West Virginia 25305.

REGION: V (CHICAGO)

STATE: WISCONSIN

United Migrant Opportunity Services (UMOS), P.O. Box 5343, 809 West Greenfield Avenue, Milwaukee, Wisconsin 53204.
University of Wisconsin—Milwaukee, Grants and Contracts, Milwaukee, Wisconsin 53201.

Opportunities Industrialization Centers of America, 100 West Coulter Street, Philadelphia, Pennsylvania 19144.

REGION: VII (DENVER)

STATE: WYOMING

State of Wyoming, Office of Manpower Planning and Coordination, 3103 Warren Avenue, Cheyenne, Wyoming 82001.

Migrant Action Program, Inc., 220 East State Street, P.O. Box 778, Mason City, Iowa 50401.

Signed at Washington, D.C., this 19th day of August, 1975.

WILLIAM H. KOLBERG,
Assistant Secretary
for Manpower.

[FR Doc.75-22156 Filed 8-21-75;8:45 am]

Occupational Safety and Health
Administration

OREGON STATE STANDARDS

Notice of Approval

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations prescribes procedures under section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) (hereinafter called the Act) by which the Assistant Regional Director for Occupational Safety and Health (hereinafter called Assistant Regional Director) under a delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary) (29 CFR 1953.4) will review and approve standards promulgated pursuant to a State plan which has been approved in accordance with section 18 (c) of the Act and 29 CFR Part 1902. On December 28, 1972, notice was published in the FEDERAL REGISTER (37 FR 28628) of the approval of the Oregon plan and the adoption of Subpart D to Part 1952

containing the decision. The notice of Approval of Revised Developmental Schedule was further published on April 1, 1974, in the FEDERAL REGISTER (39 FR 11881).

The Oregon plan provides for the adoption of State standards which are at least as effective as comparable Federal standards promulgated under section 6 of the Act.

Section 1952.108 of Subpart D sets forth the State's schedule for the adoption of at least as effective State standards. By letters dated October 30, 1974 and November 26, 1974, from M. Keith Wilson, Chairman, Workmen's Compensation Board to James W. Lake, Assistant Regional Director, and incorporated as part of the plan, the State submitted proof documents concerning Subpart R, §§ 1910.262, 1910.263, 1910.264 and 1910.266 of Part 1910, Title 29, Code of Federal Regulations. These standards which are contained in the Oregon Safety Code for Places of Employment, were promulgated by the State after Notice of Intent was published in the Department of State's Administrative Rule Bulletin Vol. 13, No. 23, for Subpart R §§ 1910.262, 1910.263 and 1910.264 dated June 1, 1974 and in Administrative Rule Bulletin Vol. 14, No. 8, for Subpart R § 1910.266 dated October 15, 1974. No request for a public hearing was received.

2. *Decision.* Having reviewed the State submission in comparison with the Federal standards, it has been determined that the State standards are at least as effective as the comparable Federal standards and are hereby approved. The detailed standards comparison is available at the locations specified below.

3. *Location of supplement for inspection and copying.* A copy of the standards supplement, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Assistant Regional Director, Occupational Safety and Health Administration, Room 6048, 909 First Avenue, Seattle, Washington 98174; Workmen's Compensation Board and Industries Building, Room 204, Salem, Oregon 97310; and the Technical Data Center, Room N-3620, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

4. *Public participation.* Under § 1953.2 (c) of this chapter, the Assistant Secretary may prescribe alternative procedures to expedite the review process or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds that good cause exists for not publishing the supplement to the Oregon plan as a proposed change and making the Assistant Regional Director's approval effective upon publication for the following reason.

The standards were adopted in accordance with the procedural requirements of State law which included public comment and further public participation would be repetitious.

This decision is effective August 22, 1975.

(Sec. 18, Pub. L. 91-596, 84 Stat. 1608 (29 U.S.C. 667).)

Signed at Seattle, Washington this 22nd of July 1975.

JAMES W. LAKE,
Assistant Regional Director.

[FR Doc.75-22219 Filed 8-21-75;8:45 am]

OREGON STATE STANDARDS

Notice of Approval

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations prescribes procedures under section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) (hereinafter called the Act) by which the Assistant Regional Director for Occupational Safety and Health (hereinafter called Assistant Regional Director) under a delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary) (29 CFR 1953.4) will review and approve standards promulgated pursuant to a State plan which has been approved in accordance with section 18(c) of the Act and 29 CFR Part 1902. On December 28, 1972, notice was published in the FEDERAL REGISTER (37 FR 28628) of the approval of the Oregon plan and the adoption of Subpart D to Part 1952 containing the decision. The notice of Approval of Revised Developmental Schedule was further published on April 1, 1974, in the FEDERAL REGISTER (39 FR 11881).

The Oregon plan provides for the adoption of State standards which are at least as effective as comparable Federal standards promulgated under section 6 of the Act.

Section 1952.108 of Subpart D sets forth the State's schedule for the adoption of at least as effective State standards. By letter dated April 1, 1975, from M. Keith Wilson, Chairman, Workmen's Compensation Board to James W. Lake, Assistant Regional Director, and incorporated as part of the plan, the State submitted proof documents concerning Subpart O of Part 1910, Title 29, Code of Federal Regulations. These standards, which are contained in Oregon Safety Code for Places of Employment, were promulgated by the State after a Notice of Intent was published in the Department of State's Administrative Rules Bulletin Vol. 13, No. 23, dated June 1, 1974. No request for a public hearing was received.

2. *Decision.* Having reviewed the State submission in comparison with the Federal standards, it has been determined that the State standards are at least as effective as the comparable Federal standards and are hereby approved. The detailed standards comparison is available at the locations specified below.

3. *Location of supplement for inspection and copying.* A copy of the standards supplement, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Assistant Regional Director, Occupational Safety and Health Administration, Room 6048, 909 First Avenue, Federal Office Building, Seattle, Washington 98174; Workmen's

Compensation Board, Labor and Industries Building, Room 204, Salem, Oregon 97310; and the Technical Data Center, Room N-3620, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

4. *Public participation.* Under § 1953.2 (c) of this chapter, the Assistant Secretary may prescribe alternative procedures to expedite the review process or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds that good cause exists for not publishing the supplement to the Oregon plan as a proposed change and making the Assistant Regional Director's approval effective upon publication for the following reason:

The standards were adopted in accordance with the procedural requirements of State law which included public comment and further public participation would be repetitious.

This decision is effective August 22, 1975.

(Sec. 18, Pub. L. 91-596, 84 Stat. 1608 (29 U.S.C. 667).)

Signed at Seattle, Washington, this 14th day of July 1975.

JAMES W. LAKE,
Assistant Regional Director.

[FR Doc.75-22220 Filed 8-21-75;8:45 am]

OREGON STATE STANDARDS

Notice of Approval

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations prescribes procedures under section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) (hereinafter called the Act) by which the Assistant Regional Director for Occupational Safety and Health (hereinafter called Assistant Regional Director) under a delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary) (29 CFR 1953.4) will review and approve standards promulgated pursuant to a State plan which has been approved in accordance with section 18 (c) of the Act and 29 CFR Part 1902. On December 28, 1972, notice was published in the FEDERAL REGISTER (37 FR 28628) of the approval of the Oregon plan and the adoption of Subpart D to Part 1952 containing the decision. The notice of Approval of Revised Developmental Schedule was further published on April 1, 1974, in the FEDERAL REGISTER (39 FR 11881).

The Oregon plan provides for the adoption of State standards which are at least as effective as comparable Federal standards promulgated under section 6 of the Act.

Section 1952.108 of Subpart D sets forth the State's schedule for the adoption of at least as effective State standards. By letter dated April 1, 1975, from M. Keith Wilson, Chairman, Workmen's Compensation Board to James W. Lake, Assistant Regional Director, and incorporated as part of the plan, the State submitted proof documents concerning Subpart P of Part 1910, Title 29, Code of

Federal Regulations. These standards, which are contained in the Oregon Safety Code for Places of Employment, were, in the case of Oregon's Chapter 6, promulgated by the State after a Notice of Intent was published in the Department of State's Administrative Rules Bulletin Vol. 13, No. 10, dated November 15, 1973, and after a public hearing held on December 5, 1973, and, were, in the case of Oregon's Chapter 12, promulgated by the State after a Notice of Intent was published in the Department of State's Administrative Rules Bulletin Vol. 13, No. 5, dated September 1, 1973, and after a public hearing held on October 4, 1973.

2. *Decision.* Having reviewed the State submission in comparison with the Federal standards, it has been determined that the State standards are at least as effective as the comparable Federal standards and are hereby approved. The detailed standards comparison is available at the locations specified below.

3. *Location of supplement for inspection and copying.* A copy of the standards supplement, along with the approved plan, may be inspected and copies during normal business hours at the following locations: Office of the Assistant Regional Director, Occupational Safety and Health Administration, Room 6048, 909 First Avenue, Federal Office Building, Seattle, Washington 98174; Workmen's Compensation Board, Labor and Industries Building, Room 204, Salem, Oregon 97310; and the Technical Data Center, Room N-3620, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

4. *Public participation.* Under § 1953.2 (c) of this chapter, the Assistant Secretary may prescribe alternative procedures to expedite the review process or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds that good cause exists for not publishing the supplement to the Oregon plan as a proposed change and making the Assistant Regional Director's approval effective upon publication for the following reason:

The standards were adopted in accordance with the procedural requirements of State law which included public comment and further public participation would be repetitious.

This decision is effective August 22, 1975.

(Sec. 18, Pub. L. 91-596, 84 Stat. 1608 (29 U.S.C. 667).)

Signed at Seattle, Washington, this 14th day of July 1975.

JAMES W. LAKE,
Assistant Regional Director.

[FR Doc.75-22221 Filed 8-21-75;8:45 am]

Office of the Secretary

[TA-W-57]

HOUDAILLE INDUSTRIES, INC.,
HUNTINGTON, W. VA. DIVISION

Negative Determination Regarding Certification of Eligibility to Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 the Department of

Labor herein presents the results of TA-W-57: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on June 16, 1975 in response to a worker petition received on that date which was filed by the United Steelworkers of America on behalf of workers formerly producing chrome-plated, steel automobile bumpers at the Huntington, West Virginia Division of Houdaille Industries, Incorporated.

The notice of investigation was published in the Federal Register (40 FR 26318-26319) on June 23, 1975. No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of the Huntington Division, its major customers, industry analysts, the U.S. International Trade Commission, the U.S. Department of Commerce, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act must be met:

1. That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated,

2. That sales or production, or both, of such firm or subdivision have decreased absolutely, and

3. That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Significant Total or Partial Separations

Employment at Huntington showed an almost steady quarterly decline from 1972 through the second quarter of 1975. From 1973 to 1974 employment declined 15 percent. Comparing the second six months to the first six months of the 1975 new car model year production worker employment was down 22 percent, and salaried employment was off 15 percent.

Sales or Production, or Both, Have Decreased Absolutely

From 1973 to 1974 dollar sales from Huntington decreased by 8 percent, and bumper production fell by 12 percent. Huntington's production fell 21 percent from the first half of 1975 new car model year (July-December 1974) to the second six months of the model year.

Increased Imports Contributed Importantly

The volume of imports like or directly competitive with the bumpers made at Huntington declined absolutely from 3,175 thousand units in 1972 to 2,066

thousand units in 1974. The ratio of imports to consumption fell from 19 percent in 1972 to 14 percent in 1974. The import/production ratio also decreased from 21 percent in 1972 to 15 percent in 1974. The volume of imports and both ratios declined from January-April 1974 to the first four months of 1975.

The evidence developed in the Department's investigation indicates that sharp declines in production and employment at Huntington occurred during the 1975 new car model year (July 1974-June 1975). During this period company imports of bumpers from Oshawa, Canada declined in volume. Major customers had imported some bumpers in 1972 and 1973 but had not purchased any imported bumpers in 1974. Production at Huntington, which consisted mostly of bumpers designed for small U.S.-made cars, was seriously hurt by the general economic recession in the U.S.

Conclusion

After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with the chrome-plated, steel automobile bumpers produced at the Huntington, West Virginia Division of Houdaille Industries did not contribute importantly to the total or partial separation of the workers or to the absolute decline in sales or production at the plant.

Signed at Washington, D.C. this 15th day of August 1975.

HERBERT N. BLACKMAN,
Associate Deputy Under Secretary for Trade and Adjustment Policy.

[FR Doc. 75-22168 Filed 8-21-75; 8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice No. 838]

ASSIGNMENT OF HEARINGS

AUGUST 19, 1975.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC 124211 Sub 260, Hilt Truck Line, Inc., now being assigned September 18, 1975 (2 days) at Omaha, Nebraska; in Room 616, Union Pacific Plaza, 110 N. 14th Street.
MC 124211 Sub 262, Hilt Truck Line, Inc., now assigned September 18, 1975 at Omaha, Nebraska; has been postponed indefinitely.
MC 136647 Sub 17, Green Mountain Carriers, Inc., now being assigned for continued hearing November 4, 1975 (4 days), at Burlington, Vermont; in a hearing room to be later designated.

MC-F-12437, Crouch Freight Systems, Inc.—Purchase—Mills Transfer Company, et al., now assigned September 9, 1975 at Boston, Massachusetts, is postponed indefinitely.
MC 73165 Sub 310, Eagle Motor Lines, Inc., now assigned September 17, 1975 at Washington, D.C., is canceled and the application is dismissed.

MC 130261, International Weekends, Inc., continued to August 26, 1975, (2 days), at Boston, Mass., 150 Causeway, 5th Floor. No. 36093, Mississippi Public Service Commission vs Illinois Central Gulf Railroad Company, now assigned September 15, 1975, at Jackson, Mississippi, is postponed indefinitely.

MC 130262, Crimson Travel Service, Inc., d/b/a Crimson Travel Service has been continued to October 20, 1975 (1 week) at Boston, Massachusetts, on the 5th Floor, 150 Causeway.

MC 6078 Sub 78, D. F. Bast, Inc., now assigned November 5, 1975 at Washington, D.C., is postponed to November 13, 1975, at the Offices of the Interstate Commerce Commission, Wash., D.C.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 75-22218 Filed 8-21-75; 8:45 am]

[Notice No. 60]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

AUGUST 22, 1975.

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to Sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 C.F.R. Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's Special Rules of Practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before September 11, 1975. Pursuant to Section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-75985. By order of August 18, 1975, the Motor Carrier Board approved the transfer to East Penn Trucking Company, a Corporation, Lehighton, Pennsylvania, of Certificate No. MC 119225 (Sub-No. 1), issued February 25, 1963, to Barron Trucking Company, Inc., Washington, New Jersey, authorizing the transportation of coal, from specified counties in Pennsylvania to specified points in New Jersey and New York. S. Berne Smith, P.O. Box 1166, Harrisburg, Pa. 17108. Herman B. J. Weckstein, One Woodbridge Center, Woodbridge, N.J. 07095, attorneys for applicants.

No. MC-FC-76012. By order of August 18, 1975, the Motor Carrier Board approved the transfer to Ovid Freight

Lines, Inc., Interlaken, N.Y., of the operating rights in Certificate No. MC-74846 (Sub-Nos. 53, 55, and 59) issued April 5, 1965, January 21, 1966, and November 17, 1967, respectively, to Lewis G. Johnson, Inc., Port Gibson, N.Y., authorizing the transportation of foodstuffs (except frozen foods and commodities in bulk, in tank vehicles), from the plant sites and warehouse facilities of Duffy-Mott Company, Inc., at Hamlin, Holley, and Williamson, N.Y., to Florence, N.J.; baby foods and baby supplies, from the plant sites and warehouse facilities of Gerber Products Company in Monroe County, N.Y., to Florence, N.J.; canned foodstuffs, from points in Monroe, Ontario, Wayne, and Yates Counties, N.Y., to Florence, N.J.; frozen fruit juices and frozen fruit concentrates, and essence of fruit and berries, in containers, from Dundee, Geneva, and Penn Yan, N.Y., to Milford, Del., Hagerstown and Landover, Md., Alexandria, Va., and points in the District of Columbia; and fertilizer and fertilizer materials, and pesticides, and related advertising materials when moving in mixed loads with fertilizer and fertilizer materials, from the facilities of Armour Agricultural Chemical Company at or near Windsor, N.J., to specified points in New York. Robert B. Pepper, 168 Woodbridge Avenue, Highland Park, N.J. 08904, Registered Practitioner for transferee, and Donald M. Sunshine (Trustee in Bankruptcy), Finley, Kumble, Helne, Underberg & Grutman, 477 Madison Avenue, New York, N.Y. 10022, Representative for transferor.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 75-22289 Filed 8-21-75; 8:45 am]

[Notice No. 93]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

AUGUST 15, 1975.

The following are notices of filing of applications for temporary authority under Section 210a(a) of the Interstate Commerce Act provided for under the provisions of 49 CFR § 1131.3. These rules provide that an original and six (6) copies of protests to an application may be filed with the field official named in the FEDERAL REGISTER publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the FEDERAL REGISTER. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness

and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the I.C.C. Field Office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 52938 (Sub-No. 11TA) (correction), filed July 29, 1975, published in the FEDERAL REGISTER issue of August 11, 1975, and republished as corrected this issue. Applicant: MASHKIN FREIGHT LINES, INC., 64 Oakland Ave., East Hartford, Conn. 06108. Applicant's representative: Hugh M. Joseloff, 80 State St., Hartford, Conn. 06103. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from East Hartford, Conn., to points in Maine, New Hampshire, and Vermont, for 180 days. Supporting shipper: H. F. Distributors, Inc., 241 Park Ave., East Hartford, Conn. 06108. Send protests to: J. D. Perry, Jr., District Supervisor, Bureau of Operations, Interstate Commerce Commission, 324 U.S. Post Office Bldg., 135 High St., Hartford, Conn. 06101. The purpose of this republication is to add Maine as a destination point, which was omitted in the previous publication.

No. MC 69833 (Sub-No. 112TA) (Correction), filed July 7, 1975, published in the FEDERAL REGISTER issue of July 18, 1975, and republished as corrected this issue. Applicant: ASSOCIATED TRUCK LINES, INC., Vandenberg Center, Grand Rapids, Mich. 49502. Applicant's representative: Harry Pohlad (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities* (except those articles of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), serving the plantsite of Essex International, Inc., at Topeka, Ind., as an off-route points in connection with its authorized regular route operations, to and from Fort Wayne, Ind., and Angola, Ind., applicant intends to interline at all common points under its existing authority, for 180 days. Supporting shipper: Exsex International, Inc., P.O. Box 1216, 1601 Wall St., Fort Wayne, Ind. 46804. Send protests to: C. R. Fleming, District Supervisor, Bureau of Operations Interstate Commerce Commission, 225 Federal Bldg., Lansing, Mich. 48933. The purpose of this republication is to correct the territorial description.

No. MC 98184 (Sub-No. 5TA), filed August 8, 1975. Applicant: LARAMIE, INC., 14800 Castleton Ave., Detroit, Mich. 48227. Applicant's representative: Martin J. Leavitt, 22375 Haggerty Road,

P.O. Box 400, Northville, Mich. 48167. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Classified military tanks*; (1) from the facilities of The Chrysler Defense Corporation at Warren, Mich., to the Aberdeen Proving Grounds at or near Aberdeen, Md.; (2) from the Aberdeen Proving Grounds, Aberdeen, Md., to the Chelsea Proving Grounds, Chelsea, Mich., Supporting shipper: Chrysler Defense Corporation, Traffic Manager, Gerald M. Lambert, Chrysler Defense Engineering, 25999 Lawrence, Center Line, Mich. Send protests to: Melvin F. Kirsch, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1110 Broderick Tower, 10 Whitherell Ave., Detroit, Mich. 48226.

No. MC 111170 (Sub-No. 223TA), filed August 8, 1975. Applicant: WHEELING PIPE LINE, INC., P.O. Box 1718, E. Dorado, Ark. 71730. Applicant's representative: Tom E. Moore (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Alumina*, calcined or hydrated, in bulk, from Bauxite, Ark., to points in Oklahoma, for 180 days. Supporting shipper: Reynolds Metals Company, P.O. Box 97, Bauxite, Ark. 72011. Send protests to: William H. Land, Jr., District Supervisor, 3108 Federal Office Bldg., 700 West Capitol, Little Rock, Ark. 72201.

No. MC 118142 (Sub-No. 94TA), filed August 8, 1975. Applicant: M. BRUENGER & CO., INC., 6250 North Broadway, Wichita, Kans. 67219. Applicant's representative: Lester C. Arvin, 814 Century Plaza Bldg., Wichita, Kans. 67202. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Plastic coated wire fabric and wire mesh, and accessory items*; (2) *Plastic resin and granules*; (1) from the plant and warehouse facilities of C. E. Shepherd Co., at Houston, Tex., to points in the United States (except Alaska and Hawaii); (2) from Erie, Pa., to Houston, Tex., for 180 days. Supporting shipper: C. E. Shepherd Co., 7206 Dallas St., Houston, Tex. 77011. Send protests to: M. E. Taylor, District Supervisor, Interstate Commerce Commission, 501 Petroleum Bldg., Wichita, Kans. 67202.

No. MC 118142 (Sub-No. 95TA) filed August 8, 1975. Applicant: M. BRUENGER & CO., INC., 6250 North Broadway, Wichita, Kans. 67219. Applicant's representative: Lester C. Arvin, 814 Century Plaza Bldg., Wichita, Kans. 67202. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dairy products and pizza ingredients* (such commodities as are used in the manufacturing of pizzas), from the plantsite of Leprino Cheese Company, Newman, Calif., to Denver, Colo., and Springfield, Mo., for 180 days. Supporting shipper: Leprino Cheese Company, 1830 West 38th Ave., Denver, Colo. 80211. Send protests to: M. E. Taylor, District Supervisor, 501 Petroleum Bldg., Wichita, Kans. 67202.

No. MC 127505 (Sub-No. 76TA), filed August 4, 1975. Applicant: RALPH H. BOELK, doing business as BOELK TRUCK LINES, Route 2, Mendota, Ill. 61342. Applicant's representative: Walter Kobos, 1016 Kehoe Drive, St. Charles, Ill. 60174. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Unfinished hand tool parts*, from Moran, Kans., to Skokie, Ill., for 180 days. Supporting shipper: Mathias Klein & Sons, Inc., 7200 McCormick Bldg., Chicago, Ill. 60645. Send protests to: William J. Gray, District Supervisor, Interstate Commerce Commission, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC 136035 (Sub-No. 6TA), filed August 7, 1975. Applicant: W. S. DUNNING & SON, INC., 131 D South Balmor St., West Chester, Pa. 19380. Applicant's representative: Gerald K. Gimmel, 303 N. Frederick Ave., Gaithersburg, Md. 20760. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Bread crumbs, cubes, and croutons*, from the plantsite and storage facilities of The Clorox Company at or near Chicago, Ill., and Barlett, Ill., to the Clorox facilities at or near Frederick, Md., Jersey City, N.J., and West Chester, Pa., and the facilities of Grocery Store Products at West Chester, Pa., under continuing contract with The Clorox Company, for 180 days. Supporting shipper: The Clorox Company, 7901 Oakport St., Oakland, Calif. 94621. Send protests to: Monica A. Blodgett, Transportation Assistant, Interstate Commerce Commission, 600 Arch St., Room 3238, Philadelphia, Pa. 19106.

No. MC 136220 (Sub-No. 23TA), filed August 7, 1975. Applicant: ROY SULLIVAN, doing business as SULLIVAN TRUCKING CO., 1708 North 3rd, Ponca City, Okla. 74601. Applicant's representative: G. Timothy Armstrong, 6161 North May Ave., Suite 200, Oklahoma City, Okla. 73112. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fish meal* (in open top dump vehicles only), from points in that part of Louisiana on and south of Interstate Highway 10 and from Galveston, Houston and Port Arthur, Tex., to the plantsite of OK Feed Mills, Inc., at Fort Smith, Ark., for 180 days. Supporting shipper: O. K. Feed Mills, Inc., Fort Smith, Ark. Send protests to: Clifford L. Phillips, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 240 Old U.S. Post Office & Courthouse, 215 Northwest Third St., Oklahoma City, Okla. 73102.

No. MC 141182 (Sub-No. 1TA) (Correction), filed July 24, 1975, published in the FEDERAL REGISTER issue of August 11, 1975, and republished as corrected this issue. Applicant: FREDERICK H. TATE, JR., doing business as TATE TRUCK LINE, Box 432, Frazee, Minn. 56544. Applicant's representative: F. H. Kroeger, 1745 University Ave., St. Paul, Minn. 55104. Authority sought to operate as a contract carrier, by motor vehicle,

over irregular routes, transporting: *Cheese*, in bulk, in barrels or boxes (except in bulk in tank vehicles), from Perham, Minn., to Green Bay, Hilbert, Marshfield, Mosinee and Spencer, Wis., under a continuing contract with Land-O-Lakes, Inc., for 180 days. Supporting shipper: Land-O-Lakes, Inc., P.O. Box 115, Spencer, Wis. 54479. Send protests to: J. H. Ambs, District Supervisor, Bureau of Operations, Interstate Commerce Commission, P.O. Box 2340, Fargo, N. Dak. 58102. The purpose of this republication is to correct the commodity description.

No. MC 141209 TA (Correction), filed August 4, 1975. Applicant: JOSEPH DUARTE, 2130 Rockdale Ave., Simi Valley, Calif. 93063. Applicant's representative: Milton W. Flack, 4311 Wilshire Blvd., Suite 300, Los Angeles, Calif. 10010. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Motor vehicles* in secondary movements on truckaway service, between Garden Grove, Calif., and Lubbock, Tex., under continuing contract with Jack Warye Automobile Brokerage, for 180 days. Supporting shipper: Jack Warye Automobile Brokerage, 10272 Garden Grove Blvd., Garden Grove, Calif. Send protests to: Mildred I. Price, Transportation Assistant, Interstate Commerce Commission, Room 1321 Federal Bldg., 300 North Los Angeles St., Los Angeles, Calif. 90012. The purpose of this correction is to correct the docket number.

No. MC 141216 (Sub-No. 1TA), filed August 8, 1975. Applicant: DARREL K. OAKLEY, doing business as OAKLEY ENTERPRISES, 3502 Elm Ave., Rapid City, S. Dak. 57701. Applicant's representative: James W. Olson, 821 Columbus St., Rapid City, S. Dak. 57701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips, sawdust, bark, shavings and other sawmill products*, treated and untreated (except lumber), from Stauter Lumber Co., a subsidiary of Edward Hines Lumber Co., Hill City, S. Dak., to Rapid City, S. Dak., for subsequent shipment by rail, for 180 days. Supporting shipper: Stauter Lumber Co., Subsidiary of Edward Hines Lumber Co., Box 168, Hill City, S. Dak. 57745. Send protests to: J. L. Hammond, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 369, Federal Bldg., Pierre, S. Dak. 57501.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.
[FR Doc. 75-22290 Filed 8-21-75; 8:45 am]

[Notice No. 94]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

AUGUST 19, 1975.

The following are notices of filing of applications for temporary authority

under Section 210a(a) of the Interstate Commerce Act provided for under the provisions of 49 CFR 1131.3. These rules provide that an original and six (6) copies of protests to an application may be filed with the field official named in the FEDERAL REGISTER publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the FEDERAL REGISTER. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the I.C.C. Field Office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 47583 (Sub-No. 22TA), filed August 7, 1975. Applicant: TOLLIE FREIGHTWAYS, INC., 41 Lyons Ave., Kansas City, Kans. 66118. Applicant's representative: D. S. Hulst, P.O. Box 225, Lawrence, Kans. 66044. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fibrous glass products and materials, mineral wool, mineral wool products and materials, insulated air ducts, insulating products and materials*, from the plantsite and storage facilities of Certain-Teed Products Corporation CSG Group, Kansas City, and from the storage facilities of Certain-Teed Products Corporation CSG Group, Pauline, Kans., to points in Texas, for 180 days. Supporting shipper: CGS Group/Certain-Teed Products Corp., Valley Forge, Pa. Send protests to: Vernon V. Coble, District Supervisor, Interstate Commerce Commission, 600 Federal Bldg., 911 Walnut St., Kansas City, Mo. 64106.

No. MC 52460 (Sub-No. 176TA), filed August 11, 1975. Applicant: ELLEX TRANSPORTATION, INC., 1420 West 35th St., P.O. Box 9637, Tulsa, Okla. 74107. Applicant's representative: Steve B. McCommas (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages and related advertising material, and empty containers returned*, from Perry (Houston County, Ga.), to

points in the state of Texas, for 180 days. Supporting shipper: Pabst Brewing Company, Milwaukee, Wis. Send protests to: Clifford L. Phillips, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 240 Old U.S. Post Office & Courthouse, 215 Northwest Third St., Oklahoma City, Okla. 73102.

No. MC 108676 (Sub-No. 83TA), filed August 11, 1975. Applicant: A. J. METLER HAULING AND RIGGING, INC., 117 Chicamauga Ave., N.E., Knoxville, Tenn. 37917. Applicant's representative: A. A. Metler (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Junk motor vehicles, compacted or crushed, and scrap metal*, from Knoxville, Tenn., to points in Alabama and Georgia, for 180 days. Supporting shipper: Southern Foundry Supply, Inc., 2826 N. Central, Knoxville, Tenn. 37917. Send protests to: Joe J. Tate, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Suite A-422, U.S. Courthouse, Nashville, Tenn. 37203.

No. MC 111729 (Sub-No. 566TA), filed August 8, 1975. Applicant: PUROLATOR COURIER CORP., 3333 New Hude Park Road, New Hude Park, N.Y. 11040. Applicant's representative: John M. Delany, (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Business or office machine parts, supplies, devices, and units*, restricted against the transportation of articles or packages weighing in the aggregate more than 100 pounds from one consignor to one consignee on any one day, from Atlanta, Ga., to points in Brevard, Broward, Charlotte, Collier, Dade, Duval, Hillsborough, Indian River, Lee, Leon, Marion, Alachua, Orange, Palm Beach, Pinellas, Polk, Putnam, Sarasota, St. Lucie, and Volusia Counties, Fla., for 90 days. Supporting Shipper: International Business Machines Corporation, P.O. Box 10, Princeton, N.J. 08540. Send protests to: Anthony D. Gialmo, District Supervisor, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 113908 (Sub-No. 349TA), filed August 6, 1975. Applicant: ERICKSON TRANSPORT CORP., 2105 East Dale St., P.O. Box 3180 G.S.S., Springfield, Mo. 65804. Applicant's representative: B. B. Whitehead (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wine, wine products, neutral spirits, distilled spirits and alcohol*, in bulk, between Chicago, Ill., on the one hand, and, on the other, Westfield, N.Y., and their respective commercial zones, for 180 days. Supporting shipper: Morgan David Wine Corp., 3737 S. Sacramento Ave., Chicago, Ill. 60632. Send protests to: John V. Barry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 600 Federal Bldg., 911 Walnut St., Kansas City, Mo. 64106.

No. MC 124144 (Sub-No. 14TA), filed August 7, 1975. Applicant: ROBERT N. TOOMEY, doing business as ROBERT N. TOOMEY TRUCKING CO., 1516 South George St., York, Pa. 17403. Applicant's representative: Charles E. Creager, P.O. Box 1417, Hagerstown, Md. 21740. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Chains and miscellaneous attachments and hardware therefor, cable, wire rope, chain manufacturing equipment and machinery and advertising paraphernalia*, from Denver, Colo., to points in California, Oregon, Washington, Utah and Arizona; (2) *Iron and steel* (except commodities which by reason of their size and weight require the use of special equipment, from points in California to York, Pa., under continuing contract with Campbell Chain Company, for 180 days. Supporting shipper: Campbell Chain Company, 3990 East Market St., York, Pa. 17405. Send protests to: Robert P. Amerine, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 278 Federal Bldg., P.O. Box 869, Harrisburg, Pa. 17108.

No. MC 124144 (Sub-No. 15TA), filed August 8, 1975. Applicant: ROBERT N. TOOMEY, doing business as ROBERT N. TOOMEY TRUCKING CO., 1516 South George St., York, Pa. 17403. Applicant's representative: Charles E. Creager, P.O. Box 1417, Hagerstown, Md. 21740. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foodstuffs, food treating compounds, chemicals* (except in liquid form or in bulk), and *additives and advertising paraphernalia and materials, equipment and supplies* used in the manufacture preparation, sale and distribution of spices, extracts and convenience foods, in vehicles equipped with mechanical refrigeration, and (2) *Commodities* the transportation of which is exempt or partially exempt from regulation under the provisions of Section 203 (b) (6) of the Interstate Commerce Act, in mixed loads with the commodities described in (1) above, between Baltimore, Md., and its commercial zone and points in Alabama, Georgia, Mississippi, Tennessee, Illinois, Michigan, Minnesota, Ohio, Indiana, Wisconsin, North Carolina and South Carolina, under continuing contract with McCormick & Company, Inc., for 180 days. Supporting shipper: McCormick & Company, Inc., Baltimore, Md. 21202. Send protests to: Robert P. Amerine, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 278 Federal Bldg., P.O. Box 869, Harrisburg, Pa. 17108.

No. MC 127731 (Sub-No. 1TA), filed August 7, 1975. Applicant: POST BROTHERS, INC., 105 Middle St., Scranton, Pa. 18501. Applicant's representative: Chester A. Zyblut, 1522 K St., NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods, unaccompanied baggage, and personal ef-*

fects, as described by the I.C.C., between points in Carbon, Columbia, Lakawanna, Luzerne, Montro, Pike, Schuylkill, Susquehanna, Wayne and Wyoming Counties, Pa., and Warren County, N.J., for 180 days. Supporting shipper: Department of Defense, Regulatory Law Office, Office of The Judge Advocate General, Department of the Army, Washington, D.C. 20310. Send protests to: Paul J. Kenworthy, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 314 U.S. Post Office Bldg., Scranton, Pa. 18530.

No. MC 128592 (Sub-No. 3TA), filed August 11, 1975. Applicant: K.L.M. DISTRIBUTING, INC., P.O. Box 6098, Jackson, Miss. 39208. Applicant's representative: Donald B. Morrison, 1500 Deposit Guaranty Plaza, P.O. Box 22628, Jackson, Miss. 39205. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Steel junction boxes, circuit breakers and transformers* (except commodities which by reason of size or weight require the use of special equipment), from the facilities of Zinsco Electrical Products to Mississippi at Jackson, Miss., to the facilities of GTE Sylvania at Los Angeles and Burlingame, Calif., and Portland, Oreg., restricted to traffic originating at and destined to the above named points, under a continuing contract or contracts with Zinsco Electrical Products of Mississippi, Inc., 750 Boling St., Jackson, Miss. 39209. Send protests to: Alan C. Tarrant, District Supervisor, Interstate Commerce Commission, Room 212, 145 East Amite Bldg., Jackson, Miss. 39201.

No. MC 128616 (Sub-No. 18TA), filed August 11, 1975. Applicant: BANKERS DISPATCH CORP., 1106 W. 35th St., Chicago, Ill. 60609. Applicant's representative: Warren W. Wallin (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Commercial papers, documents and written instruments* (except coins, currency, and negotiable securities), as are used in the conduct and operation of banks and banking institutions, between points in Scotts Bluff County, Nebr., on the one hand, and, on the other, points in Goshen County, Wyo., under continuing contract with Scottsbluff National Bank & Trust Co., for 180 days. Supporting shipper: Scottsbluff National Bank & Trust Co., Fred W. Ruff, Auditor, P.O. Box 381, Scottsbluff, Nebr. 69361. Send protests to: Patricia A. Roscoe, Transportation Assistant, Interstate Commerce Commission, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC 128988 (Sub-No. 68TA), filed August 7, 1975. Applicant: JO/KEL, INC., 159 South Seventh Ave., P.O. Box 1249, City of Industry, Calif. 91749. Applicant's representative: Patrick E. Quinn, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lamps,*

from Charlerol, Pa., to points in the United States on and west of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the International Boundary line between the United States and Canada. RESTRICTION: Restricted against the transportation of commodities which by reason of size or weight require the use of special equipment, and commodities in bulk), further restricted to a transportation service to be performed under a continuing contract or contracts with Westinghouse Electric Corp., of Pittsburgh, Pa., for 180 days. Supporting shipper: Westinghouse Electric Corporation, RD #5, Leger Road, North Huntingdon, Pa. 15642. Send protests to: Mildred I. Price, Transportation Assistant, Interstate Commerce Commission, Room 1321 Federal Bldg., 300 North Los Angeles St., Los Angeles, Calif. 90012.

No. MC-133920 (Sub-No. 10TA), filed August 7, 1975. Applicant: HOWARD SHEPPARD, INC., P.O. Box 755, Sandersville, Ga. 31082. Applicant's representative: Virgil H. Smith, 1587 Phoenix Bldg., Suite 12, Atlanta, Ga. 30349. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime slurry*, in bulk, in tank vehicles, from points in Georgia to Dothan, Ala., for 180 days. Supporting shipper: Southeastern Industrial Products, Inc., Tennile Road, Sandersville, Ga. 31082. Send protests to: William L. Scroggs, District Supervisor, 1252 W. Peachtree St., N.W., Room 546, Atlanta, Ga. 30309.

No. MC 134740 (Sub-No. 5TA), filed August 7, 1975. Applicant: JACK BAULOS, INC., P.O. Box 71, Oak Lawn, Ill. 60454. Applicant's representative: Albert A. Andrin, 127 N. Dearborn St., Chicago, Ill. 60602. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Canned and bottled soft drinks*, from the plantsite of Chicago 7UP Bottling Co., Chicago, Ill., to Louisville and Hopkinsville, Ky.; Grand Rapids, Mich.; Janesville and Green Bay, Wis.; Muncie, Indianapolis, Ft. Wayne, Marion, South Bend, Logansport, Terre Haute, Tell City and Evansville, Ind., under continuing contract with Chicago Seven-Up Bottling Co., for 180 days. Supporting shipper: Chicago Seven-Up Bottling Co., Michael Haverty, Director of Finance, 4544 W. Carroll Ave., Chicago, Ill. 60624. Send protests to: Patricia A. Roscoe, Transportation Assistant, Interstate Commerce Commission, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC 138530 (Sub-No. 17TA), filed August 11, 1975. Applicant: C.O.P. TRANSPORT, INC., 307 South High St., Cortland, Ohio 44410. Applicant's representative: Warren R. Keck III, 28 South Second St., Greenville, Pa. 16125. Authority sought to operate as a *contract*

carrier, by motor vehicle, over irregular routes, transporting: *Copper and copper alloys*, viz., other than perforated or silver plated, *sheet, plate and strip, scrap and scrap copper alloy* loose or in containers, coils, bars, drawn, rolled or extruded, between the plantsite of Hussey Metals Division/Copper Range Co., Eminence, Ky., on the one hand, and, on the other, points in Commercial Zones of Chicago, Ill., under continuing contract with Hussey Metals Division/Copper Range Co., for 180 days. Supporting shipper: Hussey Metals Division/Copper Range Co., Eminence, Ky. 40019. Send protests to: James Johnson, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 181 Federal Office Bldg., 1240 East Ninth St., Cleveland, Ohio 44199.

No. MC 135391 (Sub-No. 1TA), filed August 11, 1975. Applicant: WILDERNESS EXPRESS, INC., P.O. Box 6509, Duluth, Minn. 55801. Applicant's representative: Donald L. Stern, 530 Univac Bldg., 7100 W. Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foodstuffs* (except commodities in bulk), from the plantsite and warehouse facility of Jenos, Inc., at or near Sodus, Mich., to points in New Hampshire, Maine, New York, Connecticut, Pennsylvania, Delaware, New Jersey, Massachusetts, West Virginia, Virginia, Tennessee, Rhode Island, the District of Columbia, Kentucky, Ohio, Illinois, Indiana, Iowa, Michigan, Wisconsin, Minnesota, Arkansas, Missouri, Vermont, Maryland, North Dakota, South Dakota, Nebraska, Kansas and Colorado; (2) *Foodstuffs, materials, equipment and supplies* used by Jenos, Inc., in the conduct of its business, (except commodities in bulk), from points in Alabama, Arkansas, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, West Virginia, Wisconsin and Wyoming, to Sodus, Mich. Restriction: The operations authorized herein are limited to transportation service to be performed under a continuing contract or contracts with Jenos, Inc., of Duluth, Minn., for 180 days. Supporting shipper: Jenos, Inc., P.O. Box 6509, Duluth, Minn. 55801. Send protests to: Raymond, T. Jones, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 414 Federal Bldg., & U.S. Courthouse, 110 S. 4th St., Minneapolis, Minn. 55401.

No. MC 136711, (Sub-No. 23TA), filed August 6, 1975. Applicant: DAVID G. MCCORKLE, doing business as MCCORKLE TRUCK LINE, 1780 South High, Oklahoma City, Okla. 73109. Applicant's representative: G. Timothy Armstrong, 6161 North May Ave., Suite 200, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand, aggregate and stone*, from (1) points in Grant County, Ark., to points in Oklahoma County, Okla.; Dallas and Tarrant Counties, Tex., and Sedgwick, and Shawnee Counties, Kans.; (2) from Des Moines, N. Mex., to points in Canadian, Lincoln, McClain, Oklahoma and Payne Counties, Okla.; (3) from Marquette, Kans., to points in Cleveland, McClain and Oklahoma Counties, Okla.; (4) from Georgetown, Tex., to points in Cleveland, Logan, McClain and Oklahoma Counties, Okla.; (5) from the Kansas City, Mo., commercial zone, to points in Oklahoma County, Okla.; Dallas County, Tex.; and Pulaski and Sebastian Counties, Ark.; (6) from Mesita, Colo., to points in Oklahoma County, Okla.; (7) from Iron Mountain, Mo., to points in Oklahoma County, Okla.; (8) from Miller County, Ark., to points in Oklahoma County, Okla.; (restricted in No. 8 above to the transportation of sand, aggregate and stone in bulk, in open top dump vehicles only), for 180 days. Supporting shipper: Aztec Decorative Stone Company, P.O. Box 11195, Oklahoma City, Okla. 73111. Send protests to: Clifford L. Phillips, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 240 Old U.S. Post Office & Courthouse, 215 Northwest Third St., Oklahoma City, Okla. 73102.

No. MC 141177 (Sub-No. 1TA), filed August 12, 1975. Applicant: RICK'S DELIVERY SERVICE, INC., No. 6 W. Alexandria Ave. & 3400, Commonwealth Ave. 22305, Alexandria, Va. 22301. Applicant's representative: Patrick McEligot, 918 16th St., N.W., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Radiopharmaceuticals, radioactive drugs and medical isotopes and related supplies and accessories* (1) between Dulles International Airport, Va., Baltimore Washington International Airport, Md., and Washington National Airport, Va., and (2) between the three above-named airports on the one hand, and, on the other, points in Maryland, Virginia and the District of Columbia, restricted in (1) and (2) to shipments having an immediately prior or subsequent movement by air, for 180 days. Supporting shippers: There are approximately 9 statements of support attached to the application, which may be ex-

amined at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Interstate Commerce Commission, 12th & Constitution Ave., N.W., Room 317. W. C. Hersman, District Supervisor, Washington, D.C. 20423.

No. MC 141227TA), filed August 5, 1975. Applicant: CHAPMAN TRANSPORTATION CO., INC., Route 2, Columbia, S.C. 29210. Applicant's representative: Harry S. Dent, 507 Bankers Trust Tower, P.O. Box 11300, Columbia, S.C. 29211. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, plywood, fiberboard, meshwood flour*, from points in South Carolina, to points in Alabama, Connecticut, Delaware, Florida, Georgia, Kentucky, Maryland, Massachusetts, the District of Columbia, Mississippi, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia and Indiana, for 180 days. Supporting shippers: Marlon Lumber Company, Box 151, Marion, S.C. 29571. Holly Hill Lumber Company, P.O. Box 128, Hilly Hill, S.C. 29059. Coastal Lumber Company, Inc., P.O. Drawer 331, Walterboro, S.C. 29488. Flack-Jones Lumber (Division of Westvaco Development Corp.), P.O. Box 857, Summerville, S.C. 29483. Send protests to: E. E. Strotheld, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 302, 1400 Pickens St., Columbia, S.C. 29201.

No. MC 141228 TA, filed August 6, 1975. Applicant: TRUX TRANSPORT, INC., 508 So. Airport Blvd., South San Francisco, Calif. 94080. Applicant's representative: Raymond A. Greene, Jr., 100 Pine St., Suite 2550, San Francisco, Calif. 94111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, between points in San Francisco, San Mateo and Santa Clara Counties, Calif., and Los Angeles International Airport, having a prior or subsequent movement by air, for 180 days. Supporting shippers: There are approximately 7 statements of support attached to the application, which may be examined at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Claud W. Reeves, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 450 Golden Gate Ave., Box 36004, San Francisco, Calif. 94102.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

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